

Prisons (Ireland) Bill.

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SCHEDULES.



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B I L L

TO

Consolidate and amend the Law relating to Prisons
in Ireland.

WHEREAS it is expedient to consolidate and amend the Preamble.
Laws relating to Prisons in Ireland :

Be it enacted by the Queen's most Excellent Majesty,
by and with the Advice and Consent of the Lords Spiritual and
5 Temporal, and Commons, in this present Parliament assembled, and
by the Authority of the same, as follows :

Preliminary.

1. This Act may be cited for all Purposes as "The Prisons Act Short Title.
(Ireland), 1866."

10 2. This Act shall come into operation on the *Day* Commence-
of *One thousand eight hundred and sixty-six, which* ment of Act
Day is herein-after referred to as the Commencement of the Act.

3. This Act shall not extend to England nor Scotland. This *Extent of*
Act shall extend to and regulate all Gaols, Prisons, Bridewells, Act.
15 and Places of Confinement in Ireland, except Convict Prisons and
Naval or Military Prisons, and Reformatories established under
the Provisions of the Twenty-first and Twenty-second Victoria,
Chapter One hundred and three.

[Bill 207.]

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4. In

- Definition of Terms:** 4. In this Act, and in any Act applied or incorporated by this Act, the Expressions herein-after mentioned shall have the Meanings herein-after attached to them, unless there is something in the Tenor of the Act inconsistent with such Meanings; that is to say,
- "Lord Lieutenant:" "Lord Lieutenant" shall mean Lord Lieutenant of Ireland, and the Lords Justices or other Chief Governors or Governor of Ireland for the Time being:
- "Chief Secretary and Under Secretary:" "Chief Secretary" and "Under Secretary" shall mean respectively the Chief Secretary and Under Secretary to the Lord Lieutenant of Ireland:
- "County:" "County" shall include every County, City, Town, County of a City, County of a Town, County of a City and Town, Borough, District, and Place in Ireland, in which there is a Grand Jury, Council, Corporation, Committee, or Body exercising the Powers of a Grand Jury as to Presentments:
- "Assizes:" "Spring Assizes," in the Application of this Act to the County of Dublin, shall include Presenting Term, and, in the Application of this Act to the County of the City of Dublin, shall include Michaelmas Term: Assizes, besides its ordinary Meaning, shall include Presenting Term, and, in the County of the City of Dublin, Michaelmas Term, and also the Occasions upon which any Grand Jury, Council, Corporation, Committee, or Body authorized by Law to make Presentments shall be duly assembled according to Law for the Purpose of making such Presentments:
- "Grand Jury:" "Grand Jury" shall include, besides its ordinary Meaning, every Corporation, Committee, Council, and Body authorized to make Presentments:
- "Treasurer of the County:" "Treasurer of the County" shall, besides its ordinary Meaning, include any Person or Persons in any County of a City or Town, or County of a Town and City, Borough, Town, or Place, performing Duties analogous to those of "the Treasurer of the County," in Counties, and in the Application of this Act to the County of Dublin it shall mean the Finance Committee:
- "Secretary to the Grand Jury:" "Secretary to the Grand Jury" shall, in Counties within the Meaning of this Act, and in which there shall be no such Officer, include Town Clerk, and any Officer in such Counties who shall perform Duties towards the Fiscal Body therein analogous to those of the Secretary to the Grand Jury in ordinary Counties:
- "Board:" "Board" shall mean Board of Superintendence:
- "Person:" "Person" shall include Corporation, whether sole or aggregate:
"Clerk

" Clerk of the Peace " in any County within the Meaning of this Act, but in which there shall be no Clerk of the Peace, shall, if the Context so require it, include the Town Clerk of such County or other Officer intrusted with the Custody of the Records of such County :

" Clerk of the Peace :

" Clerk of the Crown " in any County within the Meaning of this Act, but in which there shall be no Clerk of the Crown, shall include the Officer who shall discharge Duties in relation to the Indictment and Trial of Prisoners analogous to the Duties of the Clerk of the Crown in ordinary Counties :

" Clerk of the Crown :

" Criminal Prisoner " shall mean any Prisoner charged with or convicted of a Crime :

" Criminal Prisoner :

" Quarter Sessions " shall include Criminal Quarter Sessions :

" Quarter Sessions :

" Judge of Assize," in the Application of this Act to the County of the City of Dublin and the County of Dublin, shall include the Court of Queen's Bench at Dublin, or any Judge of the said Court :

" Judge of Assize :

" Presentment Sessions " shall, besides its ordinary Meaning, include the Meetings of the Council of the Borough of Dublin, or of a Committee thereof, at which Applications for Presentments are decided upon, in pursuance of the Forty-second Section of the " Dublin Improvement Act, 1840."

" Presentment Sessions."

PART I.

THE MAINTENANCE AND GOVERNMENT OF PRISONS. OBLIGATION TO MAINTAIN PRISONS.

5. There shall be provided, at the Expense of every County, adequate Accommodation for its Prisoners in a Prison or Prisons constructed and regulated in such Manner as this Act requires ; the Grand Jury of every County shall at each Assizes inquire into the State of its Prisons and Bridewells, and shall present all Matters necessary to supply such Accommodation.

Maintenance of Prisons by every County.
28 & 29 Vict. c. 126, s. 8.
7 G. 4. c. 74, s. 11.

6. All Expenses necessary for providing such Prison Accommodation shall be raised by the Grand Jury of each County by Presentment, and (in case the County shall be divided into several Baronies or Districts in respect to which Presentments confined to such Baronies or Districts are used) the Presentment shall be levied off such County at large, and where there are no such Baronies or Districts the Presentment shall be levied off such County ; and all Laws and Acts of Parliament in force respecting Presentments, and the raising, levying, applotting, assessing, making Rates for, [207.] A 2 distraining

Expenses to be raised by Presentment.
7 G. 4. c. 74, ss. 7, 8, 9, 11, 16.
28 & 29 Vict. c. 126, ss. 8, 9.

distraining for, suing for, recovering, collecting, paying, and accounting for Presentments and presented Monies, shall apply to Presentments made in pursuance of this Act, so far as such Laws and Acts of Parliament are not inconsistent with the express Provisions of this Act.

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PART. II.

BUILDING AND MAINTENANCE OF PRISONS BY THE GRAND JURY.

Estimates to
be laid before
Grand Jury.

7. The Secretary of the Grand Jury at each Spring Assizes shall lay before the Grand Jury the Estimate of Expenses forwarded to him by the Board, in pursuance of Section One hundred and eleven of this Act; and in case such Grand Jury shall consider that such Estimate is either excessive or deficient in Amount, such Estimate shall be submitted to the Judge of Assize, who shall inquire into the same, and such Judge of Assize may increase, diminish, or amend the same as to him shall seem fit; and the Grand Jury are hereby required, without any Proceedings at any Presentment Sessions, to present the Amount of such Estimate to be raised by half-yearly Instalments off the County, and the Treasurer of the County shall pay the same, from Time to Time according as the same shall have been paid in, to the Board; and in case the Grand Jury shall refuse or neglect to make such Presentment, the same shall be made and raised by an Order of the Judge of Assize at such Spring Assizes, which Order shall have the Force of a Presentment, and the Sum or Sums therein mentioned shall be raised and paid to the Board by the Treasurer accordingly, as if the same had been inserted in a Presentment duly made at the Assizes at which such Order shall be made.

Account to
be laid before
Grand Jury.

8. The Secretary of the Grand Jury of each County shall at each Spring Assizes lay before the said Grand Jury the Account of Expenditure forwarded to him by the Board, in pursuance of Section One hundred and thirteen of this Act; and the Grand Jury shall examine such Account, and shall make Presentment, without any Proceedings at any Presentment Sessions, for so much of the Amount thereof as shall appear to have been properly expended, and such Amount shall be raised accordingly; and in case the Grand Jury shall refuse or neglect to make such Presentment the same shall be made and raised by an Order of the Judge of Assize, in the Manner mentioned in the last preceding Section; and the Treasurer of the County shall from Time to Time, according as the Amount of such Presentment shall have been paid in, pay the same to the Board.

9. In

9. In order to provide such Prison Accommodation as is required by this Act, every Grand Jury shall have Power to make Presentments for the levying of Monies to be expended in the Purchase of Land, and of Rights and Easements over Lands, and in the building, rebuilding, altering, and enlarging of its Prisons, and in the Execution of all Works, the making and laying of Watercourses, Drains, Mains, and Pipes for the Purpose of supplying Water to its Prisons. Such Presentments shall include all Law, Equity, and Conveyancing Costs and Expenses to be incurred in carrying out such Presentment, and all Costs of Travellers arising out of the same. Such Presentments shall be levied off the respective Counties, or off the respective Counties at large where the said Counties are divided into Baronies or other Divisions.

Grand Jury to have Power to make Presentment for Purchase of Lands, building, rebuilding, altering, and repairing.

10. No Presentment shall be made in pursuance of the Ninth Section of this Act for a Sum exceeding *Three hundred Pounds*, except upon an Application made and adopted or agreed to at Presentment Sessions. Such Application shall state the Amount proposed to be raised by the Presentment, and the general Nature of the Works intended to be done. It need not contain nor be accompanied by any Specifications or Plans of the said Works.

Presentment to be approved of at Sessions.

11. When any Presentment under the Ninth Section of this Act shall include the purchasing of Lands, or of Rights or Easements over Lands, the Presentment, and the Application to Presentment Sessions, shall contain a Description of the Lands intended to be purchased, or over which Rights or Easements are intended to be acquired, stating the Measurement of such Lands, the Parish, or Barony, Town, City, County, or other Place in which such Lands shall be situated, and such further Details as shall be reasonably sufficient to identify the said Lands.

Requisites of Presentment for Purchase of Lands, &c.

12. If the Application for any Presentment under the Ninth Section of this Act shall have been adopted or agreed to at Presentment Sessions, the Grand Jury at the next Assizes shall consider and decide upon such Application, and in case they shall approve thereof they shall present for the same, and the Amount thereof shall be raised and levied accordingly, and such Presentment shall not in any County require to be again laid before Presentment Sessions. It shall be lawful for the Grand Jury, if they shall think fit, to direct that the Amount of the said Presentment shall be raised by half-yearly or yearly Instalments, extending over such Time as they shall think proper, which Time shall be specified in such Presentment, and the Amount thereof shall be raised accordingly.

Levy of Presentments.

7 G. 4. c. 74. s. 16.

[207.]

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13. When

Amount of
Installments
may be in-
creased.

7 G. 4. c. 74.
s. 16.

13. When the Amount of any Presentment, under the Ninth Section of this Act, shall have been directed to be raised by Installments by the Grand Jury making the same, it shall be lawful for the Grand Jury at all subsequent Assizes from Time to Time, and so often as they shall think fit, until the whole of the said 5 Presentment shall have been raised, to increase the said Installments, and to shorten proportionably the Period over which such Installments shall extend.

Lord Lieu-
tenant may
advance the
Amount of
the Present-
ment, to be
repaid out of
Installments.

7 G. 4. c. 74.
s. 17.

14. In all Cases where any Presentment under the Ninth Section of this Act shall have been directed to be raised by Installments, it 10 shall be lawful for the Lord Lieutenant, at any Time after the making of such Presentment, and before the whole thereof shall have been raised, to cause to be advanced out of such Monies as Parliament shall appropriate for the Purpose, to the Treasurer of such County, on the Faith of such Presentment, the whole of the 15 Sum so presented, or so much thereof as shall not have been raised or received at the Time of such Advance, or any Part or Proportion thereof, such Sums to be applied by such Treasurer to the Purposes of such Presentments, and to be repaid by him to the Collector of Island Revenue of the District, but without Interest, out of such 20 Installments as may be specified at the Time of advancing the same, a Certificate of which Advance shall be given, without Stamp, by such Treasurer at the Time of receiving such Money; and if at any Time Default shall be made in the Repayment of any such Advance or any Installment thereof, at the Time when the same respectively 25 shall be payable, the Judge of Assize at the next Assizes shall order the Amount of such Advance or Installment to be raised, and such Order shall have the Operation of a Presentment. The Amount mentioned therein shall be raised and applied in all respects as if the said Amount was duly presented by the Grand Jury at such 30 Assizes.

Mode of
Payment of
Contractor.

15. The Grand Jury originally making any Presentment under the Ninth Section of this Act may, if they shall think fit, present that the Contractor to be employed as herein-after mentioned to carry out such Works shall be entitled to be paid for such Works, 35 in such specified Sums, and at such specified Stages in the Progress of such Works, as the Grand Jury shall think fit. In default thereof such Contractor shall not be paid until such Works shall be completed.

Appointment
of Commis-
sioners to
carry out
Presentment.

16. The Grand Jury making any Presentment under the Ninth 40 Section of this Act shall appoint not less than Six nor more than Twelve Persons to be Commissioners for causing the said Presentment

- ment to be carried into execution; and if any of the Persons so appointed decline to act, die, or resign before such Work shall be completed, it shall be lawful for the Grand Jury at the same or any subsequent Assizes to fill up such Vacancies, or, within the Limits
 5 aforesaid, to increase the Number of Commissioners originally appointed; provided that the Powers of the Commissioners shall not cease nor be suspended while any such Vacancy shall continue.
17. The Powers of the Commissioners appointed under the Sixteenth Section of this Act may at all Times be exercised by any
 10 Six of their Number present at any Meeting duly assembled; and as soon as the Works in relation to which such Commissioners shall have been appointed shall be completed, and the Accounts of the same finally passed, the Office and Powers of such Commissioners shall cease and determine.
18. Such Commissioners shall, at their First Meeting after their Appointment, elect One of their Number to be their Chairman, and, in case of the Absence of the Chairman from any Meeting, the Commissioners then present shall elect One of their Number to be Chairman for the Meeting; and every Question shall be decided by
 20 a Majority of Votes (the Chairman, whether permanent or temporary, having a Vote), and in the event of an Equality of Votes on any Question the Chairman for the Time being shall have an additional or Casting Vote.
19. Such Commissioners shall have Power to nominate a Clerk
 25 to assist them in the Execution of the Powers and Authorities vested in them, but the Clerk shall not be one of such Commissioners, and he shall be removable at the Pleasure of the said Commissioners; and it shall be lawful for them to allow him as a Remuneration for his Trouble in the Premises such a Sum as they shall
 30 think proper, not exceeding in One Year *Thirty Pounds*, and his Salary shall be included in the Presentment for the Expenses of such Works: Provided that it shall be lawful for the Commissioners to appoint the County Surveyor of the County to which they belong to be their Clerk, without any Remuneration for his Services as
 35 such in addition to his Salary as such County Surveyor.
20. No Works to be executed by such Commissioners shall proceed unless and until the Plans and Specifications thereof shall be approved by the Lord Lieutenant, after a Report thereupon made by One of the Inspectors General of Prisons, and such other
 40 Reports and Certificates as the Lord Lieutenant shall appoint; and it shall be lawful for such Commissioners to enter into
 [207.] A 4 Contracts

7 G. 4. c. 74.
 s. 18.
 19 & 20 Vict.
 c. 68. s. 6.
 Bill, s. 137.

Quorum of Commissioners.
 Powers, when to determine.
 7 G. 4. c. 74.
 ss. 18. 41.

Commissioners to appoint a Chairman.

Commissioners to appoint a Clerk.
 7 G. 4. c. 74.
 s. 41.

Approval of Plans and Specifications by Lord Lieutenant before Commencement of Works.
 Contracts,

how to be
made.
19 & 20 Viet.
c. 68. s. 8.
7 G. 4. c. 74.
s. 20.

Contracts for the Execution of such Works, after such Approval shall have been obtained; and every such Contract shall be made by means of Tenders, at the most reasonable Price that shall be proposed. The Contractor shall be considered the responsible Person to execute the same. The Contract shall be entered by the Clerk to the Commissioners in a Book to be kept by them; and before entering into any such Contract the Commissioners shall give Notice Three Times at least in a Newspaper circulating in the County of the Presentment under which they have been appointed, and of their Intention to receive Tenders for the Execution of the Works thereby presented for; and every Contractor shall, before his Contract shall be deemed valid, give Security in double the Amount of the Sum contracted to be paid for such Work, for the due Execution thereof, such Security to be subject to Approval by the Commissioners, and to be by Recognizance.

15

Commis-
sioners to
superintend
Execution of
Works.

21. The Commissioners shall carefully superintend the Execution of any Contract entered into in respect of such Work, and shall take care that the same is well and efficiently carried out by the Contractor, and they shall make all such Returns, Reports, and Accounts in relation to the Matters so intrusted to them as the Lord Lieutenant shall direct.

Form of
Contract,
and Pay-
ment of
Contractor.

22. The Contract entered into by the Commissioners as aforesaid shall state at what Stages of the Works and in what Sums the Contractor is to be entitled to Payment, in pursuance of the Presentment; and whenever such Contractor shall become entitled to any Payment under such Presentment and Contract he shall give Notice thereof to the Commissioners, who shall thereupon inspect the said Works; and if the said Contractor shall appear to them to have properly performed his Contract or any Portion thereof, so as to become entitled to such Payment, they shall give such Contractor a Certificate in Writing to that Effect, signed by Three or more of the Commissioners; and the Treasurer of the County shall pay such Contractor the Sum mentioned in such Certificate, out of the Monies raised in respect of such Presentment, and no further Presentment for the Payment of such Contractor shall be required.

35

Power of
Commis-
sioners to
purchase
Lands.
Incorpor-
ation of Acts.

23. In all Cases in which the Presentment to be carried into effect by the Commissioners shall comprise the Purchase of any Lands, or of Rights or Easements over Lands, or in which the Works to be carried out by the Commissioners shall injuriously affect any Lands, it shall be lawful for the Commissioners to enter into Agreements with the Owners of such Lands, or to take such Lands and execute such Works without entering into such Agreements.

40

ments. The "Lands Clauses Consolidation Act, 1845," (except the Sections thereof numbered from Sixteen to Sixty-eight, both inclusive, relating to the Purchase and taking Land otherwise than by Agreement, and Section One hundred and twenty-three), as amended by the "Lands Clauses Consolidation Act, 1860," and the "Lands Clauses Consolidation Act, 1860," shall be incorporated with this Act. For the Purpose of such Incorporation this Act shall be deemed the Special Act, and the said Commissioners shall be deemed the Promoters of the Undertaking.

- 10 And the Clauses of the "Railways Act, Ireland, 1851," numbered from Four to Twenty-one (both inclusive), and from Twenty-five to Thirty (both inclusive), as amended by the "Railways Act, Ireland, 1860," and the "Railways Act, Ireland, 1864," and the "Railways Act, Ireland, 1860," as amended by the "Railways Act, Ireland, 1864," and the "Railways Act, Ireland, 1864," shall be deemed to be incorporated with this Act: Provided that in the said Acts the Word "Company" shall, for the Purpose of each Incorporation, be deemed to mean the said Commissioners, and the Word "Railway" used therein shall, when necessary, be deemed to mean the Works
 15 the said Commissioners shall be appointed to carry out: Provided always, that the said Commissioners shall not, except in respect of Lands contiguous to a Prison, and required for the Purpose of enlarging a Prison, or rendering it more commodious or safe, put in force the Provisions of the said incorporated Acts with respect to the
 20 Purchase of Land otherwise than by Agreement.

24. Immediately upon any Estate or Interest in any Lands, Tenements, or Hereditaments, or in any Rights or Easements, becoming vested in the Commissioners under the last preceding Section, or any of the Acts incorporated thereby, such Estate or
 30 Interest shall forthwith vest in the Board for the Time being; and for ever thenceforth the Estate or Interest thus acquired shall at all Times, and from Time to Time, and for all Intents and Purposes, so long as the said Lands, Easements, or Rights shall continue to be used for or in connexion with any Prison, be deemed to be
 35 vested in the Board for the Time being, and all Actions and Suits in respect thereof may be brought and continued in the Name of or against the Local Inspector for the Time being.

25. The Treasurer of the County shall, on receiving a written Requisition to that Effect, signed by any Three of the Commissioners, and by any Three Members of the Board, pay any Person named in such Requisition the Amount at any Time to be paid for the Purchase Money of any such Lands, Rights, or Easements, out of the Monies raised in respect of the Presentment for such Purchase.

Legal Estate
to vest in
the Board.

Payment of
Purchase
Money.
7 G. 4. c. 74.
s.

[207.]

B

26. If

Penalty for obstructing, destroying, injuring, or for diverting of Watercourses.

7 G. 4. c. 74.
ss. 11, 12.

26. If any Person shall at any Time obstruct the Persons employed by such Commissioners, or by any Commissioners appointed by the Lord Lieutenant, under the Sixty-fifth Section of this Act, in laying any Main or Pipe, or making any Watercourse, whereby Water shall be proposed to be carried to any Prison or Bridewell, and shall be convicted thereof before a Justice of the Peace of the County to which such Prison or Bridewell belongs, such Person shall for every such Offence forfeit the Sum of *Five Pounds*, to be levied by Distress and Sale of his Goods and Chittels, upon the Warrant of such Justice; and if any Person shall wilfully destroy or injure any Pipe, Main, or Watercourse, or shall wilfully divert any Watercourses through which Water shall be carried or proposed to be carried to any Prison or Bridewell, so as to prevent the Water from regularly and fully flowing to the said, such Person shall be deemed guilty of a Criminal Offence, and shall upon Conviction be imprisoned for One Year, or until he shall pay a Sum of *Fifty Pounds*, *One Third Part* of which Sum shall be paid to the Person or Persons who shall discover and cause such Offender to be convicted.

On Completion of Works, Recognizances to be vacated.

27. When the Works for which such Commissioners shall have been appointed shall be finished, the Grand Jury, at the next Assizes, shall order that all Recognizances entered into in respect thereof shall be vacated, and such Recognizances shall accordingly be vacated on the last Day of such Assizes, unless upon Complaint laid before the Court or the Grand Jury sufficient Cause shall appear to induce the Judge of Assize to make an Order to the contrary.

PART III.

JOINT PRISONS.

Lord Lieutenant may order Prisoners of City or Town to be confined in County Prison.
7 G. 4. c. 74.
s. 100.

28. In all Cases where it shall happen that the Prison of any County in Ireland shall be situate within or adjoining any County of a City or County of a Town, and there shall not be any separate Prison for such County of a City or County of a Town sufficient to comply with the Requisitions of this Act, it shall be lawful for the Lord Lieutenant to direct that all Prisoners within such County of a City or Town shall be committed to and kept in Custody in the Prison of such County so being situate within or adjoining such County of a City or Town.

Provision for Maintenance of

29. Whenever the Lord Lieutenant shall have made an Order under the Twenty-eighth Section of this Act, the Maintenance of the

the Prisoners kept in Custody under such Order, and a due Proportion of the other Expenses of the Prison in which said Prisoners shall be kept in Custody in pursuance of said Order, shall be provided for by Presentment, to be made by the Grand Jury of the County of a City or County of a Town to which such Prisoner shall belong, in lieu of all other Presentments in respect of the Prison of such County of a City or Town, and the Amount of such Presentment shall be raised accordingly; and the Treasurer of such County of a City or County of a Town shall pay the Amount of such Presentment to the Board of such County.

Prisoners confined in County Gaol under s. 27.

30. In case the respective Grand Juries of such County of a City or Town and of such County do not agree as to the Proportion of the Expenses of the Prison of such County to be borne by such County and County of a Town respectively, the Lord Lieutenant may direct in what Proportion such Expenses are to be borne by such County of a City or Town, and such County and the said Expenses shall thereupon be presented and raised accordingly.

If the Grand Juries disagree, the Lord Lieutenant may direct in what Proportion Expenses are to be borne.

31. It shall be lawful for the Grand Jury of any County to contract with the Grand Jury of any County or Counties immediately adjoining such first-mentioned County for the Payment of any Sum by all or any of such contracting Grand Juries towards building, rebuilding, altering, enlarging, repairing, or improving or fitting up any Prison locally situate in any of such Counties, to be used as a Joint Prison of such Counties Parties to the Contract, and either in addition to or in substitution for the existing Prisons of any of such Counties, and towards the Expense and Maintenance of such Joint Prison, including the Expenses of committing and conveying Prisoners thereto, and all other incidental Charges relating to the same or the Prisoners therein; and all Monies payable under any such Contract by any County shall from Time to Time be presented and raised by the Grand Jury of the County by which the same shall be payable in all respects as if such Joint Prison was a Prison of such County alone.

Two or more Counties may unite in building any Prison. 7 G. 4. c. 71. s. 50.

Counties and Boroughs may agree for a Joint Prison. 19 & 20 Vict. c. 68. s. 37.

Presentments may be made for Joint Prisons. 19 & 20 Vict. c. 68. s. 38.

32. It shall be lawful for any Grand Jury at any Assizes, or in the Case of Boroughs at any Special Meeting, to take into consideration the Expediency of making any such Contract as aforesaid; and in case such a Contract shall be resolved on by any such Grand Juries it shall be lawful for each such Grand Jury to appoint not less than Three or more than Five of its Members to be a Committee on its Behalf to negotiate and make such Contract; and such Grand Jury shall have the Power of removing any Member of such Committee, and of filling up any Vacancy therein caused by Death,

Grand Juries may appoint Committees to make Arrangements for Joint Prisons. 19 & 20 Vict. c. 68. s. 39.

These Committees to form a Joint Committee, who shall draw up Contract.
19 & 20 Vict.
c. 68, s. 40.

Particulars which the Contract shall specify.
19 & 20 Vict.
c. 68, s. 41.

Resignation, Removal, or otherwise. The Committees so appointed shall represent their respective Grand Juries, and shall form One Joint Committee, who shall draw up the Contract aforesaid, distinctly setting forth the Terms and Conditions thereof; and such Contract, when subscribed by a Majority of the Members of each Committee forming such Joint Committee, and confirmed as hereinafter mentioned, shall be binding on the respective Grand Jury Parties to the same, and on all other Persons, to all Intents and Purposes.

33. Every such Contract shall specify the Place where such Prison is or is to be situated, and the Counties for which it is proposed to be built or used (the Area and Proportion of the same being set forth in so far as the same may be known), and such Contract shall further specify the Number of Prisoners for which it is proposed that Accommodation should be provided, and the Proportion in which the Expenses of purchasing any Site, and of building, finishing, and fitting up, or of enlarging and improving such Prison, shall be borne by each of the Contracting Parties, and also the Proportion in which the Expenses of rebuilding or repairing the same shall be contributed, and also whether such Prison is to be used in place of or in addition to any and which of the existing Prisons of the said Counties respectively, and also the Mode in which it is proposed to constitute the Board of such Prison, and the Proportion in which the Salaries of Officers and such Expenses as may be incurred in respect of the ordinary Repairs and the Government and Discipline thereof, the Maintenance, Management, Custody, and Instruction of Prisoners, and all other current and ordinary Expenses of the said Prison, shall be apportioned on each of the contracting Parties; and such Proportion may be either a fixed Share, determined beforehand, of the ordinary annual Expenses of the said Prison, or be made to depend upon and be calculated by the Number of Prisoners who shall be confined therein from the said Counties respectively, and the Period of Time for which each such Prisoner shall be so confined; such Calculations to be made at such Intervals and according to such Scale as in the said Contract shall be mentioned, and to be either at a fixed Rate by the Day, Week, or Month, for the Cost of each such Prisoner, or at the actual average daily, weekly, or monthly Cost of each such Prisoner, according to the whole Number of Prisoners for the Time being confined in such Prison; and such Contract shall also specify the Period of Time, not being less than Three Years, for which the First Agreement for such Proportion of such current and ordinary Expenses (whether the same shall be at a fixed or variable Proportion) shall endure: Provided always, that at the Expiration of such Period

Period the Contract shall nevertheless continue in force, unless and until altered and renewed, upon such Terms and in such Manner as is herein-after directed.

34. The Joint Committee shall lay the Contract, when so signed
5 as aforesaid, before the respective Grand Juries Parties thereto at the next Assizes, or, in case of Boroughs, at any Special Meeting, and shall deliver to each such Grand Jury a Duplicate of such Contract, and the same, when approved of by such Grand Jury, shall be filed by the Clerk of the Peace, or Town Clerk in the Case of
10 Boroughs, and kept with the Records of such County.

Approval of
Contract.
19 & 20 Vict.
c. 68, s. 42.

35. Each Grand Jury shall immediately on its Approval of such
Contract lay the same before the Lord Lieutenant for Confirmation;
and the Lord Lieutenant, if he shall so think fit, shall thereupon,
by Order under Hand of the Chief or Under Secretary, direct that
15 such Joint Prison, when certified by One of the Inspectors General
of Prisons, and of the Commissioners of Public Works in Ireland,
under the Provisions of the Thirty-sixth Section, shall be used as the
Joint Prison of such Counties on the Terms of such Contract: Pro-
vided that in the event of any such Grand Jury by a Majority of
20 their Number not approving of the Terms of such Contract when
laid before them, or in the event of the Lord Lieutenant refusing
to confirm the same, such Grand Jury may, with the Consent of
the other Grand Jury or Juries, Parties to the Contract, and if they
so think fit, or the Lord Lieutenant, as the Case may be, if he so
25 thinks fit, may remit the said Contract to such Joint Committee for
Reconsideration, and thereupon all Proceedings shall be taken in
relation thereto as if the same had been originally laid before such
Joint Committee.

Confirmation
of Contract
by the Lord
Lieutenant.
19 & 20 Vict.
c. 68, s. 43.

Who may
direct
Prison to be
used as Joint
Prison when
certified.

36. When any such Joint Prison, or a sufficient Part thereof,
30 shall have been completely prepared for the Reception of Prisoners,
in pursuance of any such Contract, One of the Inspectors General
of Prisons and the Commissioners of Public Works in Ireland,
shall certify under their Hand to the Lord Lieutenant that such
Prison is, to the Extent specified in his Certificate, completely pre-
pared as aforesaid; and thereupon the Lord Lieutenant shall, by an
Order under the Hand of the Chief or Under Secretary, direct that
such Prison shall, from a certain Day to be mentioned in such
Order, be used as a Joint Prison for the Counties Parties to such
Contract, either exclusively or in addition to any other Prisons, and
40 that all Prisoners of such respective Counties, or such of them as
such Order shall specify, shall, if requisite, be forthwith removed to
[207.] B 3 such

Lord Lie-
tenant, on
Report of
Inspector
General,
may direct
Prison to be
used as Joint
Prison.
19 & 20 Vict.
c. 68, s. 44.

such Joint Prison by the Governors or Keepers of the Prisons or Places of Confinement in which they shall then be in Custody, and the Removal of any Prisoners under such Order shall in no Case be deemed an Escape; and thenceforth all Persons liable to be imprisoned within the Counties Parties to such Contract, whether 5 under Committal, Sentence, Attachment, or Process, shall be imprisoned in such Joint Prison.

Board of
Superintendence
to be
appointed
for Joint
Prison.
19 & 20 Vict.
c. 68. s. 45.

37. The several Grand Juries Parties to any such Contract shall unite in appointing a Joint Board, such Board to be constituted in the Manner specified in such Contract, provided that One Half at 10 least of the Members nominated by any Grand Jury a Party to such Contract shall be Justices of the Peace of the County of such Grand Jury; and each such Grand Jury shall have the same Powers in all respects in relation to the Members of each Joint Board appointed on behalf of such Grand Jury as if they were 15 Members of a Board appointed by such Grand Jury exclusively.

Duties and
Powers of
Joint
Boards.
19 & 20 Vict.
c. 68. s. 47.
Present-
ments may
be made to
Joint Boards
of Superin-
tendence.
19 & 20 Vict.
c. 68. s. 46.

38. Such Joint Board of Superintendence shall hold Office for the same Period, and shall have the same Duties and Powers in all respects, in relation to such Joint Prison, as if such Joint Board were the Board and such Joint Prison were the Prison of any such 20 Counties exclusively; and the several Grand Juries Parties to such Contract shall, subject to the Terms of such Contract, have the same Powers and Duties in relation to Presentments for such Joint Board as are herein provided with respect to Presentments for the Board of a single County. 25

Revision of
the Contract
on Termina-
tion of
Periods
specified
therein.
19 & 20 Vict.
c. 68. s. 48.

39. At the Expiration of the Period specified in any Contract, or any Revision of the same, as herein provided, for the Continuance of the proportional Payments thereby agreed upon, if it shall appear to the Joint Board appointed thereunder that any Alteration ought to be made in such proportional Payments, they shall on 30 the first Opportunity lay a Proposal before the Grand Juries Parties to such Contract or revised Contract, stating in such Proposal the Periods at which such revised Proportions shall commence, and the Period, not being less than *Five Years*, during which the same shall endure; and such Proposal, when approved by the said Grand 35 Juries respectively, shall govern the Proportions in which Payments shall be made under the said Contract for the Period so agreed upon, and after the Expiration of such Period, until a further Revision, in manner aforesaid, shall take place; and such Proposal so agreed to shall constitute a valid Contract between the 40 Parties.

40. In

40. In case such Joint Board shall neglect or refuse to propose such a Revision, notwithstanding that any of the Grand Juries Parties to such Contract shall have resolved that such should be proposed, the said several Grand Juries may agree with one another for such a Revision, and the Terms and Continuance thereof, and the revised proportional Payments so agreed upon shall remain in force accordingly; and in case such Grand Juries cannot agree in approving of a Revision proposed by such Joint Board, or in agreeing upon a revised Contract with one another, it shall be lawful for the Lord Lieutenant, upon the Application of any of such Grand Juries, to appoint any Barrister of not less than Six Years standing to act as an Arbitrator between the Parties; and it shall be lawful for such Arbitrator to summon the County or Prison Officers of any of the Counties Parties to such Contract, or any of them, or such other Persons as he may require, to appear before him and give Evidence upon Oath, and to produce all Information in their Power or Procurement touching the Matter in dispute; and he may, if he think fit, adjourn the Arbitration from Time to Time, and require all further Information he may deem necessary; and he shall by this Award in Writing determine the several Matters in dispute, and shall assess the Costs of the Arbitration, and direct by whom and out of what Fund the same shall be paid, and the same shall be paid accordingly; and such Award shall be final and conclusive between the Parties, and the proportional Payments settled thereby shall be the Proportions payable by the Parties for Five Years from the Date of such Award, and afterwards until a further Revision.

In case of Disagreement as to revised Contract, Lord Lieutenant shall appoint Arbitrator. 19 & 20 Vict. c. 68 s. 49.

41. A further Revision of the proportional Payments may in all Cases from Time to Time be had at the Expiration of the Period of Continuance mentioned in any previous Revision or Award, the same to be effected in all respects as any first Revision: Provided that until any Revision or further Revision shall be effected the proportional Payments previously payable shall continue.

Revisions may be had from Time to Time. 19 & 20 Vict. c. 68 s. 48.

42. It shall be lawful for the Grand Jury of any County, with the Consent of the Lord Lieutenant, to contract with the Grand Jury of any other County for the Support and Maintenance of all the Prisoners, including Debtor Prisoners, of such first-mentioned County in any Prison of such other County, which Contract may be either perpetual or for a limited Period, as the Parties shall mutually agree; and during the Term thereof all Prisoners who would otherwise be confined in a Prison belonging to such first-mentioned County may be lawfully committed or removed to and confined in such Prison, and shall during the Time of such Commitment,

Counties may contract with each other for Reception of Prisoners in the County Prison. 19 & 20 Vict. c. 68 s. 50.

mittal, Removal, or Confinement, he deemed to be in the proper Custody to all Intents and Purposes, and shall during the Term of their Imprisonment in such Prison be subject to the Government of the Board thereof: Provided that no such Contract be entered into without an Order for that Purpose being made by each Grand Jury, Party thereto, and entered in the Book in which the Proceedings of such Grand Juries are respectively recorded.

Grand Jury
may present
for Amount
of such
Contract.
19 & 20 Vict.
c. 68, s. 61.

43. In case of any Contract under the Forty-second Section of this Act, the Grand Jury of the first-mentioned County shall present any Sums of Money agreed on by such Contract to be expended by the Grand Jury of such other County, or any other Persons duly authorized in that Behalf, in enlarging or repairing such County Prison, or in preparing the same as a Joint Prison for the Accommodation of such Prisoners; and whenever, in the Case of any Contract under the last preceding Section, at the Expiration of any Period of *Three* Years from Time to Time occurring during the Continuance thereof, it shall appear to either of the Grand Juries, Parties thereto, that the proportional Payments payable by each such Grand Jury thereunder require Alteration, such Grand Jury shall lay before the other Grand Jury a Proposal stating the Terms of the proposed Alteration, and the Period, not being less than *Three* Years, during which the proportional Payments, as so altered, shall endure, and such Proposal, if accepted by such other Grand Jury, or such other Arrangement as they may agree upon, shall constitute a valid Contract between the Parties for the Time therein specified or so agreed upon, and so in like Manner from Time to Time such proportional Payments may be altered; and if, in case of any such proposed Revision the said Grand Juries cannot come to an Agreement upon the same, it shall be lawful for the Lord Lieutenant to appoint an Arbitrator between the Parties, in like Manner and subject to the same Conditions as herein-before provided by the Fortieth Section of this Act in the Case of Joint Prisons; and such Arbitrator shall have the same Powers and shall proceed in the same Manner in all respects in relation to the Contract under the last preceding Section as have been provided by the said Fortieth Section with respect to the Arbitrator to be appointed thereunder.

Trial of
Prisoners
committed
or removed
to Joint
Prison or
to County
Prison under
Contract.
19 & 20 Vict.
c. 68, s. 53.

44. All Prisoners confined in any Joint Prison, or maintained in any Prison under a Contract of Maintenance, according to the Provisions of this Act, shall be dealt with as if such Joint Prison or other Prison belonged to the County or Borough from which such Prisoners were committed or removed, and in case of their Trial shall be triable and tried in the Place wherein they might have been tried had this Act not been passed; and it shall be lawful for the Magistrates

Magistrates or other proper Officers of the County or Borough in which such Prisoners are so triable to do all Acts necessary for their Trial or consequent thereon.

45. Nothing in this Act contained shall be deemed or taken to
 5 control or in any Matter limit or interfere with any Power which is by an Act of the Session holden in the Fifth and Sixth Years of King William the Fourth, Chapter Twenty-six, or by an Act of the Session holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Eighty-five, or by any other Act now in force,
 10 vested in the Lord Lieutenant of Ireland, of altering, with the Advice of Her Majesty's Privy Council in Ireland, the Place of holding the Assizes or Sessions, or Special Commission or Commissions of Oyer and Terminer, or of for any County, County of a City, or County of a Town in Ireland, or to interfere with or in any
 15 Manner invalidate or affect any Order in Council heretofore made for that Purpose under the Authority of the said Acts or any of them.

Nothing in this Act to interfere with certain Provisions of 5 & 6 W. 4. c. 25, or 13 & 14 Vict. c. 85, 19 & 20 Vict. c. 68. s. 53.

46. Whenever by reason of any Contract for the Adoption of a Joint Prison, or for the Maintenance of the Prisoners of one County
 20 in the Prison of another County, under the Provisions of this Act, any Officer of any Prison shall be discharged from their respective Offices, every such Officer shall be entitled during his Life to such annual Allowance or Compensation not exceeding Two Thirds of his or her late Salary as shall be determined by the Grand Jury of the
 25 County or Borough to which such Officer previously belonged, and such Compensation shall be determined on the First Opportunity for so doing, and such Grand Jury shall, without Application to Presentment Sessions, present One Moiety of such annual Compensation at each Assizes; provided that if any such Officer shall at
 30 any Time afterwards be appointed to any Office in either of the said Counties in respect of which a Salary shall be payable out of the Rates thereof equal to or exceeding in Amount such former Salary of such Officer, the Compensation hereby provided for such Officer shall cease from the Day of such Appointment; and if such Officer
 35 shall refuse to accept such Appointment his Compensation under this Section, if the Grand Jury shall so think fit, shall determine.

Compensation to Officers of dissolved Prisons, &c. 19 & 20 Vict. c. 68. s. 54.

47. When any Counties shall have entered into a Contract for a Joint Prison, the Bridewells and all other County Prisons, save the Joint Prison in any of the Counties Parties to such Contract, shall
 40 remain subject to the Government of a Board of their own County, such Board to consist of the Members of the Joint Board representing such County, together with such other Members appointed

Separate Board of Superintendence for Prisons other than Joint Prisons.

in the Manner and within the Limits as to Number and Qualification provided by this Act as the Grand Jury of such County shall appoint.

Prisons to be considered Part of the County for whose Purposes they are used.

7 G. 4. c. 74. s. 47.

48. Every Prison which shall be used or ordered by the Lord Lieutenant to be used in the whole or in part as the Prison of any County shall be deemed in respect of the Prisoners of each County to be a Part of such County, so long as any Prisoners of such County shall be or shall be liable to be confined therein, notwithstanding that such Prison shall be locally situate in any other County; and whenever any such Prison shall cease to be used as such County Prison it shall, with the Appurtenances, be deemed to be Part of the County in which it is locally situate.

PART IV.

REQUIREMENTS IN RESPECT OF PRISONS, AND PENALTIES FOR DEFAULT.

15

Requisitions of Act as to Separation of Prisoners. 28 & 29 Vict. c. 126. s. 17.

49. The Requisitions of this Act with respect to the Separation of Prisoners are as follow:—

1. In every Prison separate Cells shall be provided equal in Number to the Average of the greatest Number of Prisoners, not being Convicts under Sentence of Penal Servitude, who have been confined in such Prison at any Time during each of the preceding Five Years: 20
2. In every Prison, Punishment Cells shall be provided for the Confinement of Prisoners sentenced to Solitary Confinement, or guilty of Prison Offences: 25
3. In a Prison containing Female Prisoners as well as Males, such Female Prisoners shall be imprisoned in separate Buildings or separate Parts of the same Buildings, in such Manner as to prevent their seeing, conversing, or holding any Communication whatever with the Male Prisoners: 30
4. In a Prison where Debtors are confined Means shall be provided for separating them altogether from the Criminal Prisoners; and the Debtors shall be divided into Two Classes, namely, those who maintain themselves and those who do not; and separate Warm and Cold Baths, Lavatories, Water-closets, and common Halls, and Yards, shall be provided for the Two Classes: 35
5. In a Prison where Criminal Prisoners are confined such Prisoners shall be prevented from holding any Communication with each other, either by every Prisoner being kept in a separate Cell by Day and by Night, except when he is at 40

- at Chapel or taking Exercise, or by every Prisoner being confined by Night to his Cell, and being subjected to such Superintendence during the Day as will, consistently with the Provisions of this Act, prevent him from communicating with any other Prisoner: Provided always, that Separate Confinement under this Act (not in a Punishment Cell) shall not be deemed Solitary Confinement within the Meaning of any Act forbidding Solitary Confinement for more than a limited Time:
- 10 Provided always that when Two or more Prisons are within the Jurisdiction of the same Grand Jury, the Requirements of this Act with respect to the Separation of Prisoners and the Enforcement of Hard Labour may be carried into effect by appropriating particular Prisons to particular Classes of Prisoners.
- 15 **50.** No Cell shall be used for the Separate Confinement of a Prisoner unless it is certified by One of the Inspectors General to be of such a Size, and to be artificially lighted, warmed, ventilated, and fitted up in a such a Manner, as may be requisite for Health, and furnished with the Means of enabling the Prisoner to communi-
 20 cate at any Time with an Officer of the Prison; but a Distinction may be made in respect of the Use of Cells for the Separate Confinement of Prisoners during long and short Periods of Imprisonment, and in respect of the Use of Cells in which the Prisoner is intended to be employed during the whole Day, or for a
 25 long or short Part thereof; and the Certificates of the Inspector General may be varied accordingly, so as to express the Period of Imprisonment for which each Cell may be considered fit, and the Number of Hours in the Day during which the Prisoners may be employed therein.
- 30 No Punishment Cell shall be used unless it is certified by such Inspector General that it is furnished with the Means of enabling the Prisoner to communicate at any Time with an Officer of the Prison, and that it is so ventilated and artificially heated that it can be used as a Punishment Cell without Detriment to the Prisoner's Health,
 35 and the Time for which it may be so used shall be stated in the Certificate.
- Every certified Cell shall be distinguished by a Number or Mark placed in a conspicuous Position, and shall be referred to by its Number or Mark in the Certificate of the Inspector General; and if
 40 the Number or Mark of any certified Cell is changed without the Consent of the Inspector General, such Cell shall be deemed to be an uncertified Cell until a fresh Certificate has been given.
- Any Certificate given by an Inspector General in respect of a Cell may be withdrawn on such Alteration taking place in such
 [207.] C 2 Cell

Cells to be
 certified for
 Confinement
 of Prisoners.
 28 & 29 Vict.
 c. 126. s. 18.

Cell as to render the Certificate, in his Opinion, inapplicable thereto, and upon a Certificate in respect of a Cell being withdrawn that Cell shall cease to be a certified Cell for the Purposes of this Act.

If any Board feel aggrieved by the Refusal of the Inspector General to certify a Cell for any of the Purposes of this Act, it may appeal to the Lord Lieutenant, and his Decision shall be final.

Further
Accommo-
dation.

51. In every Prison separate Infirmaries, and separate Warm and Cold Baths, Lavatories, and Water closets, shall be provided for the Use of the Debtors and Criminal Prisoners. Separate Yards shall be allotted to Debtors and Criminal Prisoners for Air and Exercise. 10

Chapels to be
provided in
Prisons.
7 G. 4. c. 74.
s. 6.

52. In every Prison One or more Chapel or Chapels shall be provided, in such a convenient Situation as to be easy of Access to all the Prisoners. Each Chapel shall be fitted up with separate Divisions for Males and Females, so constructed as to prevent Prisoners of different Sexes from seeing each other, and also for Debtors and Criminal Prisoners, and shall be strictly set apart for Religious Worship, or for the occasional Religious and Moral Educational Instruction of the Prisoners. 15

Places of
Industry,
Laundry.
7 G. 4. c. 74.
s. 6.

53. In every Prison there shall be provided separate Rooms and Places for Males and Females, and Debtors and Criminal Prisoners, properly fitted up for the Exercise of Labour and Industry, and also a sufficient Laundry and Drying Room; and such Rooms, Places, Laundries, and Drying Rooms for all Criminal Prisoners shall be so constructed and fitted with separate Stalls and Compartments that the Provisions of the Fifth Clause of the Forty-ninth Section of this Act can be strictly enforced therein. 25

Regulations
of Act as to
Hard
Labour.
28 & 29 Vict.
c. 126, s. 19.

54. Hard Labour for the Purposes of this Act shall be of Two Classes; consisting, first, of Work at the Treadwheel, Shot Drill, Crank, Capstan, Stone-breaking, or such other like Description of hard bodily Labour as may be appointed by the Lord Lieutenant, which Work is herein-after referred to as Hard Labour of the First Class; secondly, of such other Description of bodily Labour as may be appointed by the Lord Lieutenant, which Work is herein-after referred to as Hard Labour of the Second Class; and in every Prison where Prisoners sentenced to Hard Labour are confined, adequate Means (having regard to the average Number of such Prisoners confined in that Prison during the preceding Five Years) shall be provided for enforcing Hard Labour in accordance with the Regulations of this Act; and no Prison shall be deemed to be in conformity with the Requisitions of this Act with respect to the Enforcement of Hard Labour unless such Means as aforesaid have been 40

been provided therein, and Prisoners sentenced to Hard Labour have been employed thereof in manner provided by this Act: Provided that Employment in the necessary Services of the Prison may, in the Case of a limited Number of Prisoners, to be selected 5 by the Board, on the Report of the Local Inspector and Governor, as a Reward for Industry and good Behaviour, be deemed to be Hard Labour of the Second Class.

55. Whenever it appears to the Lord Lieutenant that Default has been made in any Prison in complying with the Requisitions of this Act in respect of the Separation of Prisoners or the Enforcement of Hard Labour, or of providing a Chapel or suitable Room for Religious Worship, it shall be lawful for the Lord Lieutenant to certify, and the Lord Lieutenant accordingly shall certify, such Non-compliance in Writing under his Hand to the Commissioners of Her Majesty's Treasury, and upon such Certificate being given no Contribution shall thenceforth be paid out of Monies provided by Parliament towards the Expenses of maintaining any Prisoners in that Prison until the Lord Lieutenant shall have been satisfied that the defaulting Prison has been brought into conformity with the Requisitions of this Act, and shall have revoked such Certificate, and then only from the Date of such Revocation.

Provided :

1st. That this Section shall not affect the Payment of any Contribution payable on or before the Thirty-first Day of December One thousand eight hundred and sixty-seven:

2d. That before the Certificate of the Lord Lieutenant is given under this Section with respect to any Prison, a Copy of the Report of the Inspectors General relating to that Prison, and a Statement of the Grounds on which the Lord Lieutenant proposes to order such Certificate, shall be sent to the Board ; and it shall be lawful for such Board, upon receiving a Copy of the said Report and Statement, to address any Explanations or Observations relating thereto to the Lord Lieutenant :

35 3d. Whenever the Certificate of the Lord Lieutenant is given under this Section in respect of a Prison, a Copy of the said Statement, accompanied with any such Explanations or Observations as aforesaid, shall be laid before Parliament.

56. In case at any Time it shall appear to the Lord Lieutenant
40 in Council that Default has been made in any Prison in complying
with the Provisions of this Act with respect to the Separation of
Prisoners, or with respect to the Enforcement of Hard Labour, or
with respect to providing a Chapel or suitable Room for Religious
[207.] C 3 Worship,
Lord Lieutenant in Council may order Grand Jurors to remedy Deficiencies in Prisons.

Worship, (whether the Provisions of the Fifty-fifth Section shall or shall not have been previously put in force,) it shall be lawful for the Lord Lieutenant in Council to make an Order directed to the Grand Jury of the County to which such Prison shall belong, requiring such Grand Jury to remedy such Deficiency, unless such Grand Jury, at the Assizes at or immediately preceding which a Copy of such Order shall have been sent to their Secretary, in pursuance of the Fifty-eighth Section of this Act, shall make reasonable Objections to their being required to remedy such Deficiency.

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Form of
Order.

57. The Order under the Fifty-sixth Section shall be directed to the Grand Jury of the County, and shall state the Nature of the Deficiencies of the Prison complained of, and shall require such Grand Jury to transmit to the Under Secretary their Objections, if any, to their being required to remedy such Deficiencies.

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Order to be
sent to Se-
cretary of
Grand Jury.

58. The Lord Lieutenant shall cause a Copy of the Order under the Fifty-sixth Section, addressed to the Secretary of the Grand Jury, during or previous to the next Assizes after the making of such Order, to be sent by Post. The said Secretary shall lay such Order before the said Grand Jury at such Assizes. In case the said Grand Jury shall consider that reasonable Objections exist to the Requirements of such Order, such Grand Jury may transmit the Particulars of their Objections to the Lord Lieutenant, and may authorize their Secretary, if they shall so think fit, to appear, by Counsel before the Lord Lieutenant in Council, in support of such Objections.

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Notice of
Order to be
given to the
Secretary of
the Grand
Jury.

59. The Lord Lieutenant shall, at any Time after the Assizes next following the making of an Order under the Fifty-sixth Section of this Act, cause to be sent by Post a written Notice, addressed to the Secretary of the Grand Jury, informing him that the Lord Lieutenant in Council will, at a Time to be mentioned in such Notice, and not less than One Week after the posting of such Notice, consider the Matter of such Order, and the Objections, if any, of the said Grand Jury.

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Lord Lieuten-
ant in
Council to
consider the
Order and
the Objec-
tions, if any,
thereto.

60. The Lord Lieutenant in Council may, at the Time mentioned in the Notice sent by Post, in pursuance of the Fifty-eighth Section, consider the Order made under the Fifty-sixth Section, and the Objections, if any, of the Grand Jury, and may thereupon allow or overrule such Objections.

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If no Objec-
tions, or
Objections

61. In case such Objections shall be overruled, or if no Objections shall have been transmitted, (whether the Secretary of the Grand

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Grand Jury shall or shall not have laid the Order made under the Fifty-sixth Section before the Grand Jury,) the Lord Lieutenant in Council may make a peremptory Order directing the Grand Jury of the County to remedy the Deficiencies pointed out in the Order made under the Fifty-sixth Section.

overruled,
Order to be
made absolutely.

62. Such peremptory Order shall be addressed to the Grand Jury of the County, and shall direct the Grand Jury to make Presentments to remedy the Deficiencies pointed out in the previous Order made under the Fifty-sixth Section of this Act.

Form of the
peremptory
Order.

63. The Under Secretary shall, before the Spring Assizes immediately following the making of such peremptory Order, cause a Copy of such peremptory Order to be sent by Post addressed to the Secretary of the Grand Jury of the County. And it shall thereupon be the Duty of such Grand Jury at such Assizes, without any Application or Proceedings at any Presentment Sessions, to make such Presentment, and, if necessary for the Purpose of obeying such Order, to appoint Commissioners, as by the Sixteenth Section of this Act they are directed to appoint in the Cases therein specified, and Commissioners so appointed shall have the like Powers and Duties and be subject to the same Provisions in every respect as Commissioners appointed under the Sixteenth Section of this Act; but such Commissioners shall forthwith direct all proper Plans, Specifications, and Estimates to be prepared and transmitted to the Lord Lieutenant for his Approval within *Three Calendar Months* from such Assizes; and in case the Lord Lieutenant shall approve such Plans and Specifications, he shall return the same to the said Commissioners, who shall thereupon enter into Contracts for the Execution of the Works so presented for in the Manner provided in said Second Part in respect of Works executed by Commissioners appointed under the Sixteenth Section of this Act, and forthwith proceed to execute the Works so presented for under the aforesaid Contracts.

Copy of
peremptory
Order to be
forwarded to
Secretary of
Grand Jury.

64. If the Grand Jury, at the Spring Assizes next following the making of such peremptory Order, shall fail to make a Presentment sufficient to comply with such peremptory Order, and, if necessary, to appoint such Commissioners, it shall be lawful for the Lord Lieutenant in Council to make an Order that from a certain Day to be specified in such Order such Prison shall cease to be a legal Place for the Confinement of Prisoners, and from such Day no Prisoner shall be confined therein, unless in the meantime, or afterwards, the Lord Lieutenant, on the Certificate of an Inspector General of Prisons that in such Prison such necessary Accommoda-

If the Grand
Jury fail to
comply with
peremptory
Order, Lord
Lieutenant
in Council
may order
Prison to be
closed.

tions have been provided, shall order that such Prison shall be again used.

If Grand Jury omit to make Presentment, Lord Lieutenant may appoint Commissioners.

65. In case the Grand Jury shall omit to make such Presentment and to appoint Commissioners at such Spring Assizes, or in case such Commissioners shall not lay before the Lord Lieutenant the 5 Plans, Specifications, and Estimates in the last Section mentioned within such *Three Calendar Months*, or in case the Lord Lieutenant shall not approve of the same, or if such Commissioners shall make default in executing such Works, it shall be lawful for the Lord Lieutenant to appoint not less than Six or more than Twelve 10 Persons, One of whom shall be a Justice of the Peace for the County, to be Commissioners for the Purpose of carrying out such Works; and such Commissioners shall have the same Powers in all respects as if they had been appointed by the Grand Jury under the Sixty-third Section, and shall in like Manner prepare Plans, 15 receive Tenders, and enter into Contracts for the Execution of such Works; and such Plans and Contracts shall be submitted to the Lord Lieutenant, and on his Approval thereof the said Commissioners shall proceed to execute the Works thereunder.

Powers of Commissioners appointed by the Lord Lieutenant.

66. The Commissioners appointed by the Lord Lieutenant 20 under the Sixty-fifth Section of this Act are hereby authorized to enter upon, rebuild, alter, enlarge, and improve any existing or former Prison. If, for the Purpose of supplying such Deficiencies in Prison Accommodation for the County, the Lord Lieutenant in Council shall deem it necessary that Lands shall 25 be procured for the Site of a Prison or any Part thereof, or that Right or Easement over Lands shall be acquired, the Order appointing such Commissioners shall describe the Lands intended to be acquired, or over which Rights or Easements are intended to be acquired; and thereupon such Commissioners shall have all 30 such Powers for the Purpose of purchasing Lands, and Rights and Easements over Lands, as are herein-before conferred upon Commissioners appointed by the Grand Jury, under the Sixteenth Section of this Act, but subject nevertheless to the like Provisions and Limitations as are imposed upon the Exercise of such Powers. 35

Monies to be expended by Commissioners appointed by Lord Lieutenant to be added to Levies.

67. The Money to be expended on any Works to be carried out by Commissioners appointed by the Lord Lieutenant, or for the Purchase of any Rights, Lands, or Easements directed by him to be acquired, shall be mentioned in the Order appointing such Commissioners, and thereupon the Judge of Assize at the next ensuing 40 Assizes, after the making of such Order, shall order such Money to be raised, and such Order shall have the Operation of a Presentment, and

and the said Amount shall be raised in all respects in the same Manner as if such Amount had been duly presented for by the Grand Jury at such Assizes; and the Treasurer of the County shall pay the Monies so raised to any Person at such Times and for such Amounts as he shall be required to do by a Requisition in Writing signed by any Three of such Commissioners. The Lord Lieutenant may, if he shall so think fit, direct that the Sums required for such Works, or for the Purchase of such Lands, Rights, or Easements, shall be raised by half-yearly Instalments; and in such Case the Judge of Assize at each ensuing Assizes, until the whole of such Amount shall have been levied, shall order the Amount of the current Instalment to be raised, and such Order shall have the Force of a Presentment, and the Amount of such half-yearly Instalments shall be raised in all respects in the same Manner as if the Amount thereof had been duly presented for by the Grand Jury; and the Treasurer, on such Requisition as is herein-before mentioned, shall pay the Monies so raised to such Person or Persons from Time to Time as such Requisition shall require.

Such Monies may be raised by Instalments.

68. *Whenever such Expenses shall have been directed to be levied by half-yearly Instalments, it shall be lawful for the Lord Lieutenant to cause the Amount of such Expenses to be advanced to such Commissioners out of the Monies voted by Parliament for such Purposes; and in such Cases the Treasurer of the County shall from Time to Time repay to the Collector of Inland Revenue of the District the Amount of such Advances out of such Instalment in the same Manner in all respects as is provided in the Fourteenth Section of this Act, with regard to the Advances therein mentioned.*

When Monies directed to be raised by Instalment Lord Lieutenant may cause Amount to be advanced.

69. Whenever the Lord Lieutenant in Council shall have ordered, under the Provisions of the Sixty-fourth Section of this Act, that any Prison shall cease to be a legal Place of Confinement, the Lord Lieutenant in Council, by the same or any subsequent Order, may direct the Removal of all Prisoners therein, and the Committal of future Prisoners to the Prison of any other County the Board of which may be willing to receive them; and upon such Order being made it shall be the Duty of the Governor of such inadequate Prison, without further Warrant, to remove all the Prisoners therein to the substituted Prison, and such substituted Prison shall, until such Order shall be revoked by the Lord Lieutenant, for all Purposes relating to the Committal, Detention, Trial, and Punishment of the Prisoners so removed, and of the Prisoners committed thereto in pursuance of this Section, be deemed to be the

Lord Lieutenant may substitute another Prison for defective Prison.

23 & 29 Vict. c. 126, s. 36

Prison of the defaulting County; and the defaulting County shall be liable to pay such Sum or Sums, and at such Time and Times, towards the Expenses of such substituted Prison, as the Lord Lieutenant shall at any Time or Times order; and the Judge of Assize, at the next Assizes after any such Order shall have been made by the Lord Lieutenant, shall order the Amount directed to be paid by such Order of the Lord Lieutenant to be levied off the defaulting County. The Order of the Judges of Assize, in pursuance of this Section, shall have the Force of a Presentment, and the Amount therein mentioned shall be raised in all respects as if it had been duly presented by the Grand Jury at such Assizes; and the Treasurer of such defaulting County shall from Time to Time pay the Amount so levied to the Board of such substituted Prison.

Mode of
Exercise of
Powers by
the Lord
Lieutenant.

70. The Lord Lieutenant may exercise the Powers conferred upon him to appoint Commissioners to build, rebuild, improve, alter, or enlarge any Prison, and to provide for the Purchase of Lands, Rights, and Easements simultaneously with the Powers conferred on him to cause the Removal of Prisoners to a substituted Prison under the last preceding Section; provided that when the defaulting County shall have been provided with sufficient Accommodation, and One of the Inspectors General shall so certify, the Lord Lieutenant may revoke the Order made under the last preceding Section, and thereupon all Prisoners belonging to the defaulting County shall be removed to the Prison of such County.

PART V.

OFFICES IN CONNEXION WITH PRISONS.

Inspectors General.

Lord Lieutenant to appoint Two Inspectors General of Prisons.

7 G. 4. c. 74. s. 56.

71. The Lord Lieutenant shall from Time to Time appoint Two fit and proper Persons to be Inspectors General of Prisons in Ireland, removeable at the Will and Pleasure of the Lord Lieutenant; and each of such Inspectors General shall receive such Salary and Allowances as the Lord Lieutenant shall direct, subject to the Approval of the Commissioners for the Time being of Her Majesty's Treasury, which Salary and Allowances shall be payable quarterly out of any Monies appropriated by Parliament for the Purpose.

Counties to be apportioned into Two Circuits, the Prisons of which shall

72. It shall be lawful for the Lord Lieutenant to apportion the several Counties into Two Circuits for the Purposes of this Act; and each of the said Inspectors General shall, once at least in every Year, go round One of the said Circuits, and visit and inspect every

every Prison and Bridewell subject to the Provisions of this Act within each One of the said Circuits respectively, and shall go round the said Circuits alternately in each succeeding Year, so that every Prison and Bridewell shall be visited by each of the said Inspectors 5 General *once* in every Two Years at the least; and they shall in each Year make a general Report upon the Prisons so visited by them respectively, which Report shall be transmitted to the Chief Secretary on or before the *First Day of April* in each Year, and shall be laid before both Houses of Parliament, and shall contain a 10 general Statement of the Progress of Prison Discipline in each District, as well as a special Report upon the State of each, with a List of all Prisoners, and such additional Particulars as the Lord Lieutenant shall from Time to Time require.

73. After such Visits respectively each of the Inspectors General 15 shall deliver to the Secretary to the Grand Jury of each County a Copy of his Report as to the several Prisons and Bridewells therein respectively, in order that the same may by them be laid before the Grand Juries of the Counties to which such Reports shall relate at the next ensuing Assizes; and every such Report shall contain an 20 Account of every Prison and Bridewell within the said Counties respectively.

74. Upon such Visits the Inspector General shall, by a Minute written in the Minute Book of the Board, addressed to the Board, call their Attention to any Irregularity he may have observed 25 therein, or any Complaint he may have to make against the Buildings, the Officers, or the Discipline of the Prison.

75. The Inspectors General are hereby empowered to require any Prison Officer to make to them any Report or Return in relation to any Prison, and to produce any Papers, Books, or Documents connected therewith; and every such Officer is hereby required to 30 make and furnish such Report, and to produce such Papers, Books, and Documents; and they are empowered to require the Board to furnish them with any Maps, Plans, or Specifications in relation to any Prison or Bridewell, or any Improvements to be made therein.

76. It shall be the Duty of the said Inspectors General, and of each of them, from Time to Time, either together or singly, and whenever they or he shall know or be informed of any Circumstances of such a Nature as to call for Inquiry, or shall be required by the Lord Lieutenant to do so, to visit any Prison or Bridewell 40 or other Place of Confinement subject to the Provisions of this Act, and to examine concerning the due Performance of the Rules and

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Regulations

be visited yearly by an Inspector General.
7 G. 4. c. 74. s. 55.

Reports of Inspectors General shall be laid before the Grand Juries at the ensuing Assizes.
7 G. 4. c. 74. s. 56.

Inspector General of Prisons to leave a Minute of Observations.
26 & 29 Vict. c. 126. s. 22.

Inspectors General may call for Reports.

Inspectors General to inquire into the Discipline of Prisons, and report to Lord Lieutenant.
7 G. 4. c. 74. s. 58.

Regulations for the Time being lawfully in force in relation thereto respectively, and also concerning all Matters connected with the Expenditure, Discipline, or Regularity thereof, or the Conduct of any Officer of any Prison; and the said Inspectors General are and each of them is hereby authorized to examine on Oath all Persons touching the said Matters, and to call for and inspect all Books, Papers, and Documents relating thereto; and such Inspectors General are and each of them is hereby empowered, whenever they or he shall think fit, and required whenever he or they shall be called upon to do so by the Lord Lieutenant, to make a special Report in Writing to the Lord Lieutenant respecting any such Matters, or any other Matter touching such Prison or Bridewell or other Place of Confinement which may be referred to them by the Lord Lieutenant, besides the annual Report required by the Seventy-second Section of this Act.

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Inspectors
General to
prepare Die-
tary Tables.
7 G. 4. c. 74.
ss. 84 & 85.

77. The Inspectors General, or either of them, shall, subject to the Approval of the Lord Lieutenant, make out a Dietary Table for each Prison, stating the Quantities and Descriptions of Food to be allowed to each Prisoner on Prison Allowance on each Day of the Week. Such Dietary may from Time to Time be altered by the Inspectors General or either of them, with the Approval of the Lord Lieutenant.

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Dietary
Table to be
adhered to.
7 G. 4. c. 74.
s. 84.

78. The Dietary Table for the Time being in force shall be strictly adhered to in every Prison, and a Copy thereof shall be placed in a conspicuous Part of each Prison.

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Supply of
Prison Re-
quisites to be
fixed by
Inspectors
General.
7 G. 4. c. 74.
s. 87.

79. The Inspectors General, or either of them, shall, with the Approbation of the Lord Lieutenant in Council, determine from Time to Time what Amount of Prison Dresses, Beds, Bedding, Furniture, and all other Articles shall be supplied from Time to Time for each Prison, and such Prison shall be supplied accordingly by the Board. Whenever at any Time either of the Inspectors General shall ascertain that any Prison is not sufficiently supplied with any such Articles, he shall order a Supply of such Articles to be purchased by the Local Inspector, and supplied to the Prison, and such Local Inspector shall present to the Collector of Inland Revenue of the District in which such Prison or Bridewell is situate an Account of the Expense incurred by such Supplies of Deficiencies, certified by One of the Inspectors General of Prisons, according to the Forms, Numbers 19. and 20., in the Second Schedule to this Act; and such Collector of Inland Revenue is hereby required to administer an Oath to such Local Inspector of the Accuracy of such Account, and such Collector shall thereupon pay to

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to the said Local Inspector the Amount of such Account out of any Public Monies in the Hands of such Collector; and the Grand Jury shall present to such Collector the Amount of such Payments at the next Assizes.

- 5 80. The Inspectors General or One of them shall, with the Approbation of the Lord Lieutenant in Council, from Time to Time determine the Staff of Male and Female Officers which from Time to Time shall be appointed to any Prison.

Inspectors-General, with Approbation of Lord Lieutenant, to determine Staff of Officers.
7 G. 4. c. 74. s. 87.

Board of Superintendence.

- 10 81. Every Prison shall be subject to the Local Government, Control, and Management of the Board.

Prisons to be subject to Local Government of Board of Superintendence.
7 G. 4. c. 74. s. 22.

82. The Grand Jury of every County (except the County of the City of Dublin) shall at each Spring Assizes, with the Approval of the Judge of Assize presiding in the Crown Court, select and
15 appoint by Ballot or open Voting, but not by Lot, a Board for the Prisons of the County, consisting of Twelve Members, of whom One Half at least shall be Justices of the Peace of the County.

In the County, Grand Jurors to appoint Boards.

83. In the County of the City of Dublin the Right Honourable the Lord Mayor, Aldermen, and Burgesses of the said City, by the
20 Council of the Borough, shall on the Tenth Day of January in every Year, and subject to the Approval of the Lord Lieutenant, select and appoint by Ballot or open Voting, but not by Lot, Twelve Persons, being Burgesses of the said City, and One Half of whom at least shall be Justices of the Peace for the County of the
25 said City, to be a Board of every Prison belonging to the County of the said City, supported in part or in the whole by Presentment, and not being a Portion of a different County.

In Dublin, Council to appoint Board of Superintendence of Prisons as heretofore.
12 & 13 Vict. c. 97. s. 51.

84. Every Board shall hold Office until the Appointment of a new Board, and shall fill up any Vacancies occurring amongst its
30 Members during its Tenure of Office, provided that the Proportion of One Half of its Members, being Justices of the Peace of the County or County of the City of Dublin, shall always be preserved. Members appointed by the Board to fill up Vacancies shall go out of Office at the same Time as the other Members. The Members of
35 any Board going out of Office shall be eligible for Reappointment.

Board to have Power to fill up Vacancies.

85. The Powers of every Board may at all Times be exercised by any Number of its Members not less than Three present at any Meeting duly assembled, save where it shall be otherwise hereby expressly provided. No single Member, nor any Number of
[267.] D 3 Members

Quorum of the Board.

Chairman to be appointed.
7 G. 4. c. 74.
a. 2.

Members not regularly convened as a Board, shall exercise any Authority nor give any Direction with regard to the Discipline or Administration of the Prison, but a Quorum of not less than Three Members duly assembled shall have the same Powers as the whole Board. Every Board at its First Meeting after Appointment shall elect One of the Members to be Chairman; and in case of the Absence of the Chairman from any Meeting the Members of the Board then present shall elect One of such Members to be Chairman for the Meeting; and every Question shall be decided by a Majority of Votes (the Chairman, whether permanent or temporary, having a Vote), and in the event of an Equality of Votes on any Question the Chairman for the Time being shall have an additional or Casting Vote.

Provision for the Case of the Chairman coming to be a Member of the Board.

86. In case the Chairman elected at the First Meeting of the Board, or any new Chairman elected under this Section, shall cease to be a Member of the Board during its Tenure of Office, the Board shall elect at the next Meeting after such Chairman shall have ceased to be a Member another of its Members to be Chairman; such new Chairman shall have the same Powers as are given by this Act to the Chairman elected at the First Meeting of the Board.

Board to see the Regulations of Prisons carried out, &c.
7 G. 4. c. 74.
ss. 3 and 14.

87. The Board shall from Time to Time inquire into the Conduct and Treatment of the Prisoners in every Prison of their County, and of all Persons concerned in the Government or Management thereof, or holding any Office or Employment therein or relating thereto respectively, and they are hereby authorized to examine on Oath any Officer or any other Person in relation to the foregoing Matters; and once at least in every Month One or more Members of the Board shall personally visit every Cell in any Prison under their Control, and every Prisoner confined therein, and report thereon to the Board duly convened. If any such Prisoner shall make to the Board any Representation as to his Treatment or Condition, the Board shall make due Inquiry into the same, and shall, without Delay, attend to any Report in relation to the Treatment or Condition of any such Prisoner made to them by the Local Inspector, Governor, Chaplain, or Medical Officer.

To see to the efficient working of Prisons.

88. The Board shall provide that every Prison under their Control shall be kept in constant Repair, and shall examine into the State of the Walls, Gates, Doors, Locks, and other Means of Defence and Security, and shall provide for the Efficiency thereof, and shall take care that every such Prison shall contain such Accommodations, and shall be supplied with such Provisions, Clothing, Utensils,

Utensils, and other Requisites as shall be necessary for maintaining the same in a thorough State of Efficiency, and that for that Purpose the same may be rebuilt, altered, enlarged, or repaired, and supplied with Water, lighted, warmed, and ventilated, artificially or otherwise; provided that the Expense of rebuilding, altering, enlarging, or repairing any Prison or Bridewell by and under the Directions of the Board shall not exceed the Sum of *Three hundred Pounds*,

89. All Things supplied to and all Works done for a Prison under the Eighty-eighth Section shall be done and supplied under written Contracts, signed by Six Members of the Board and the Contractor; and the Board shall have Power to enter into such Contracts, and a Minute of every such Contract shall be entered in the Minute Book of the Board; and it shall be lawful for the Board to require such Contractor to give such Security as the Board shall direct for the due Execution of such Contract, such Security to be by Recognizance; and in case of the Execution of any Works for the Purpose of rebuilding, altering, enlarging, or repairing any such Prison, or of supplying the same with Water, within the Limits as to Expenditure in that Section specified, they shall appoint a Committee consisting of not less than *Six* or more than *Twelve* of their Members to be Commissioners for the Purpose of superintending the Execution of such Works; and such Commissioners shall proceed in the same Manner in all respects in relation to receiving Tenders, entering into Contracts, preparing Specifications, and making Purchases and Compensation for Injuries, and shall have the same Powers and Duties in all respects, as the Commissioners appointed by the Grand Jury under the Sixteenth Section of this Act.

Board to enter into Contracts.

90. If it shall be expedient, in the Opinion of the Board, to purchase any Prison Requisites, or to have any Repairs of the Prison executed, without the Execution of such a formal Contract as in the last preceding Section is mentioned, it shall be lawful for the Board to direct any Officer of the Prison to purchase such Requisites or to have such Repairs executed for ready Money, and in such Case the Board shall place the necessary Monies for such Purpose in the Hands of such Officer; provided that the Sum so directed to be paid at any One Meeting shall not exceed Twenty Pounds.

Requisites not exceeding in Value 20*l.* may be purchased for ready Money.

91. No Member of the Board, nor any Officer of any Prison or Bridewell in such County, shall enter into any such Contract with the Board as aforesaid; and if any such Person shall enter into any such Contract, or shall directly or indirectly derive Profit from the

Penalty on Board of Superintendence being concerned in such Contracts, 500*l.*

7 G. 4. c. 74. s. 81. same, contrary to the Provisions hereof, he shall for every such Offence forfeit a Sum of *Five hundred Pounds*, to be recovered by any Person who shall sue for the same in any of Her Majesty's Superior Courts of Common Law at Dublin.

Board may sue and be sued in Name of Local Inspector.

92. In case of any Action or Suit, at Law or in Equity, in respect of any such Contract, the Board may sue and be sued in the Name of the Local Inspector for the Time being; and Service of legal Documents upon or by such Local Inspector shall be deemed sufficient.

Board of Superintendence to appoint Prison Officers.

19 & 20 Vict. c. 68. s. 18. 6 & 7 W. 4. c. 51. s. 2.

93. The Board in every County, except the County of the City of Dublin, shall from Time to Time appoint, for every Prison under their Control the following Officers:—A Local Inspector, Chaplains, Medical Officer or Medical Officers, duly registered under the Twenty-first and Twenty-second Victoria, Chapter Ninety; Governor, Deputy Governor, Matrons, a Schoolmaster, a Schoolmistress, Trades Instructors, Turnkeys, and such other Officers, Male and Female, as shall from Time to Time be required to complete the Staff of Officers of the Prison determined on under the Eightieth Section of this Act. In the County of the City of Dublin the Lord Lieutenant shall from Time to Time appoint a Local Inspector, Governor, and Turnkeys and other Male Officers (save such Officers as it is herein-after enacted shall be appointed by the Board), and also a Matron and other Female Officers, for every Prison belonging to the said County of the City of Dublin. The Board of the County of the City of Dublin shall from Time to Time appoint Chaplains, Medical Officers, and Apothecaries of every Prison belonging to the said County of the City of Dublin: Provided that in a Prison where Females only are imprisoned the Matron shall be deemed to be the Governor, and shall so far as is practicable perform all the Duties and be subject to all the Obligations of a Governor in relation to such Prison.

28 & 29 Vict. c. 136. s. 10.

Board of Superintendence may remove Officers.

19 & 20 Vict. c. 68. s. 22.

94. All the Officers of every County Prison appointed by the Board shall hold Office during the Pleasure of the Board, and may from Time to Time be removed by the Board; and if in the event of any such Removal another Officer in the Place of the Officer so removed by the Board shall be required to complete the Staff of Officers of the Prison determined under Section Eighty of this Act, the Board shall forthwith appoint a fit Person to fill the Vacancy so created.

Appointment of Officers to

95. The Appointment of every Officer by the Board, except the Chaplains and Medical Officers of every Prison, shall in the first instance

- instance be probationary only; and the same shall require to be confirmed by the Board at a Meeting at which *One Half* of the entire Number shall be present, to be held no sooner than Three or later than *Six* Calendar Months from the Date of the probationary Appointment, and (except in the Case of the Local Inspector and Governor) the Board shall not confirm such Appointment unless the Local Inspector and Governor, or, in the Case of the Governor, unless the Local Inspector shall have certified in Writing to the Board that the Conduct of such Officer since his or her probationary Appointment has been in all respects satisfactory: Provided always, that in case the Local Inspector and Governor, or either of them, shall at any Time happen to be on Probation, or their or either of their Offices shall happen to be vacant when such Certificate shall be required, it shall be lawful for the Board to confirm such Appointment without requiring any Certificate, or without requiring the Signature thereto of the Local Inspector or the Governor, as the Case may be.

be in first instance probationary only.
19 & 20 Vict. c. 68. s. 19.

96. The Board shall enter the Certificate required by the Ninety-fifth Section in their Minute Book, and shall forthwith transmit a Copy thereof to the Inspectors General of Prisons; and every Appointment confirmed in pursuance of the last Section shall be laid before the Lord Lieutenant for his Approval; and if the Board shall not, at a Meeting held within the Period of *Six* Months herein provided, confirm such probationary Appointment, or if they shall at such Meeting refuse to confirm the same, or if the Lord Lieutenant shall refuse to approve of any Appointment so confirmed, and shall notify such Refusal to the Board, the Officer so appointed shall cease to hold his Office, and the same shall become vacant from the Expiration of such Period of *Six* Months, or from the Date of the Meeting at which the Board shall so refuse to confirm the Appointment, or from such Notification by the Lord Lieutenant, as the Case may be; and no Officer, the Approval of whose Appointment shall have been refused by the Lord Lieutenant, shall be eligible for Re-appointment.

Board to enter Certificate in Minute Book.

97. If the Board shall neglect to appoint any Officer who shall be required to complete the Staff for the Time being determined on for any Prison, under Section Eighty, for the Space of *Two* Calendar Months after they shall have been called upon to make such Appointment by Writing under the Hand of an Inspector General of Prisons, the Lord Lieutenant may, if he shall so think fit, appoint such Officer.

Lord Lieutenant may appoint Officers in default of Board of Superintendence.
19 & 20 Vict. c. 68. s. 18.

Lord Lieutenant may remove Officer in case of Refusal by Board of Superintendence, 19 & 20 Viet. c. 68. s. 22.

98. In case the Lord Lieutenant shall be of opinion that the Conduct of any Officer of any Prison or Bridewell appointed by the Board requires Investigation, he may, if he think fit, by Writing under the Hand of the Chief or Under Secretary, direct the Board of Superintendence of such Prison or Bridewell to hold an Inquiry into the Case of such Officer; and the Board shall thereupon hold such Inquiry, and shall have Power to summon all Persons before them whom they shall think fit to examine, and to examine such Persons on Oath, and to call for and inspect all Books, Papers, and Documents connected with the Case under Inquiry; and at the Close of such Inquiry the Board shall forward to the Lord Lieutenant a Copy of the Evidence taken, together with a written Statement of the Opinion of the Board on the Case. 5 10

Inspectors General may take Part in the Inquiry.

99. The Inspectors General, or either of them, shall, if they or he shall think fit, or if directed by the Lord Lieutenant, take Part in and be present at the Inquiry held under the Ninety-eighth Section; and in such Case they or he, as the Case may be, shall, at the Close of the Inquiry, furnish to the Lord Lieutenant a written Statement of their or his Opinion on the Case. 15 20

Lord Lieutenant may dismiss Officer.

100. When the Lord Lieutenant shall have received the Opinions of the Board, and of the Inspectors or Inspector General, if any such shall have been given, and the Copy of the Evidence taken on the Inquiry into the Conduct of any Officer under the Ninety-eighth Section, it shall be lawful for the Lord Lieutenant, if he shall so think fit, by a written Order under the Hand of the Chief or Under Secretary, to direct the Board to remove such Officer, stating in such Order the Cause of such Removal; and if the Board shall neglect to dismiss such Officer for the Space of *One Calendar Month*, the Lord Lieutenant may by a written Order, under the Hand of the Chief or Under Secretary, remove such Officer; and no Officer who shall have been so removed by the Lord Lieutenant or by the Board shall be eligible for Re-appointment. 25 30

Officers not to hold more than One.

101. No Officer of any Prison who shall be appointed to any Office after the *Commencement of this Act*, except the Deputy Governor, and the Schoolmaster and Schoolmistress, and Trades Instructors, shall hold more than One Office therein or in connexion therewith. 35

Officers may have Substitutes appointed.

102. It shall be lawful for the Lord Lieutenant, in case of the Sickness or unavoidable Absence of any Officer of any Prison or Bridewell appointed by him, and for the Board, in case of the Sickness 40

Sickness or unavoidable Absence of any Officer appointed by them, to appoint a duly qualified Person to act as the Substitute of such Officer during such Sickness or unavoidable Absence; and in any such Case the Name and Residence of such Substitute shall be entered by the Board in their Minute Book, and during the Sickness or unavoidable Absence of such Officer such Substitute shall be deemed to hold the Office to which he shall be so temporarily appointed.

19 & 20 Vict.
c. 68. s. 11.

103. Every Officer of a Prison appointed by the Lord Lieutenant under the Provisions of this Act shall hold Office during the Pleasure of the Lord Lieutenant, and may be removed by the Lord Lieutenant whenever he shall see fit; and in all Cases in which the Lord Lieutenant and the Board respectively are empowered by the Provisions of this Act to remove any Officer of a Prison, the Lord Lieutenant and the Board respectively are hereby empowered to suspend such Officer for any reasonable Period. All suspended Officers shall not, while suspended, perform any of the Duties of their Office, and shall not take any Part in the Performance of the Duties of the Prison, unless and until such Officer shall have been reinstated. The Lord Lieutenant and the Board respectively may reinstate any suspended Officer, or dismiss such Officer.

Officers to hold Office during Pleasure of Lord Lieutenant.

104. Whenever any Officer of a Prison is suspended, removed from, or resigns his Office, or departs this Life, the Officer so suspended, removed, or resigning, and his Family, and the Family of every such deceased Officer, shall quit the Possession of the House or Apartments in which he or they have previously resided by virtue of such Office, when required so to do by Notice under the Hand or Hands of Two or more Members of the Board; and if he or they refuse or neglect to give such Possession for Forty-eight Hours after such Notice as aforesaid has been given to him or them, any Two Justices, upon Proof made to them of such Removal, Resignation, or Death, and of the Service of such Notice, and of such Neglect or Refusal to comply therewith, may, by Warrant under their Hands, direct any Constable, within a Period therein named, to enter by Force, if necessary, into such Premises, and deliver Possession thereof to any Person appointed by the Board.

Removal of Prison Officers from Apartments.
28 & 29 Vict.
c. 125. s. 16.

105. The Lord Lieutenant and the Board respectively shall appoint a sufficient Salary for each Officer of a Prison appointed by the Lord Lieutenant and the Board respectively. The Board shall cause such Salary to be paid to every Officer, whether appointed by the Lord Lieutenant or by them; provided that the Lord Lieutenant and the Board may from Time to Time alter any Salary appointed by him or them respectively.

Salaries of Officers.

Superannuation of Officers.
28 & 29 Vict.
c. 126. s. 15.

Testimonials.
Board to send to Grand Jury.

Board, with Approval of Lord Lieutenant, to make Byelaws.
Lord Lieutenant, on default, may make Byelaws.
7 G. 4. c. 74.
ss. 4 & 112.
19 & 20 Vict.
c. 68. s. 4.

106. If any Person shall have been an Officer of a Prison for not less than Twenty Years, and shall be not less than Sixty Years of Age, or incapable, from confirmed Sickness, Age, or Infirmary, or Injury received in actual Execution of his Duty, of executing his Office, and such Sickness, Age, Infirmary, or Injury shall be 5 certified by a Medical Certificate, and the Board shall be satisfied with his Conduct, the Board may, subject to the Approval of the Grand Jury, grant to such Officer, having regard to his Length of Service, an Annuity, by way of Superannuation Allowance, not exceeding Two Thirds of his Salary and Emoluments, or a Gratuity 10 not exceeding the Amount of his Salary and Emoluments for One Year; and the Board shall cause such Gratuity to be paid to such Officer, or shall cause such Superannuation Allowance to be paid to him; and such Superannuation Allowance shall be included in Estimates forwarded to the Secretary of the Grand Jury, in pursuance of the One hundred and eleventh Section of this Act; and in such Case the said Estimates shall be accompanied by Testimonials of good Conduct of such Officer during his Tenure of Office from the Board; and thereupon the Grand Jury shall consider the Matter of such Superannuation Allowance or Gratuity, and, if they 20 think fit, may allow the same, and the same shall be thereupon presented and raised accordingly; provided that in no Case shall any Superannuation Allowance be granted to any Officer who shall have been dismissed from his Office.

107. It shall be lawful for the Board from Time to Time to 25 make, alter, amend, or repeal Byelaws for the Government of every Prison under their Control, and the same shall be submitted to the Lord Lieutenant; and it shall be lawful for the Lord Lieutenant, if he shall so think fit, to alter such Byelaws, or to make Byelaws additional thereto, and to certify under the Hand of the Chief or 30 Under Secretary that such Byelaws as submitted to him, or altered or added to, are proper to be enforced; and in case the Board shall neglect for the Space of Three Calendar Months after being required so to do by the Inspectors General of Prisons to make any such Byelaws as aforesaid, it shall be lawful for the Lord Lie- 35 tenant, by Writing under the Hand of the Chief or Under Secretary, to make such Byelaws, and from Time to Time to repeal, alter, or add thereto, and to make others; and it shall be further lawful for the Lord Lieutenant, if he shall so think fit, from Time to Time himself to alter any Byelaws for the Time being in force in any 40 Prison, or to make any new Byelaws therefor; and any Byelaws whatsoever so approved by the Lord Lieutenant, or made by the Lord Lieutenant himself, and all Byelaws for the Time being in force in any Prison, shall be printed and posted therein, and shall be obeyed as the standing Regulations thereof.

108. The

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108. The Regulations contained in the First Schedule of this Act shall be in force and observed in every Prison in the same Manner as if they were enacted in the Body of this Act.

Regulations in the First Schedule to this Act to be observed.

109. The Board shall keep a Book, to be called "The Minute Book of the Board of Superintendence," in which shall be recorded all Orders, Directions, and Resolutions of the Board, and all Observations made by them, either individually or collectively, and each Member shall, on the Occasion of each Visit made by him to the Prison, make an Entry of such Visit, and anything in relation thereto which shall appear to him to be worthy of Notice, and there shall also be recorded in such Minute Book all Orders and Directions made by the Board, with the Date thereof, and any special Matter in relation thereto; and such Minute Book shall at all Times be kept within the Prison in the Custody of the Governor, and shall be open to the Inspection of the Inspectors General of Prisons, and shall be laid before the Grand Jury and the Judge of Assize at each Assizes.

Board to keep a Minute Book.

110. The Board shall have Power to declare forfeited any Money found in the Possession of any Person committed to any Prison under their Control as a Vagrant, or for offending against the Laws in force for the Relief of the destitute Poor, whether such Money shall have been so found before or after the Committal of such Person, and to apply such Money towards defraying the Expenses of the Maintenance of such Person while in Prison, returning to such Person upon his Discharge the Overplus, if any, of such Money.

Power to seize Money found on Vagrants. 19 & 20 Vict. c. 68. s. 29.

111. Previous to each Spring Assizes the Board shall forward to the Secretary of the Grand Jury of the County to which they belong a certified Estimate of all the Expenses for the ensuing Year of every Prison and Bridewell under their Control; and such Estimate shall include the Amount of any Rent which shall be then due, or which shall become due during the ensuing Year, in respect of such of the said Prisons as may now or shall hereafter at any Time be subject to Rent, the Salaries, Superannuation Allowances, and Gratuities which shall become payable to Officers or former Officers under the Provisions of this Act during the ensuing Year, all Sums necessary for supplying every Prison under their Control with such Matters and Things as shall be required to carry out the Provisions of this Act and of all Byelaws in force, and for paying all Contractors during the ensuing Year, and all Sums which may be required for rebuilding, altering, or repairing any Prison under their Control during the ensuing Year; provided that no greater Sum than Three

Shall lay an Estimate of necessary Expenses before the Grand Jury at Spring Assizes.

hundred Pounds shall be inserted in any such Estimate for rebuilding, altering, or repairing any Prison.

Board to apply the Monies raised by Presentment.

112. The Board shall apply all Monies which they shall receive in pursuance of the Seventh and Eighth Sections of this Act in providing for the Expenses of the Prisons and Bridewells under their Control, and shall retain the Balance, if any, remaining in their Hands towards the Expenses of the Prison from the subsequent Year, and they shall account for the same with the Grand Jury accordingly.

Board to lay an Account of Expenses not covered by Estimates before Grand Jury.

113. The Board shall also forward to the Secretary of the Grand Jury previous to each Spring Assizes a certified Account of all Expenses necessarily incurred by them in relation to any Prison under their Control during the previous Year, and for which Provision shall not have been made by the certified Estimates laid before the Grand Jury at the preceding Spring Assizes; provided that by no such Account shall any greater Sum than *Three hundred Pounds* be charged for the altering, enlarging, building, or repairing of any Prison.

PART VI.

LAW OF PRISONS.

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Who to be confined in County Prisons.
7 G. 4. c. 74.
ss. 45, 116.

114. Every Person who in any County shall be liable by Law to be imprisoned therein, whether on Arrest, Committal, or Sentence, and every Person who under any Enactment heretofore made shall be liable to be confined in a Gaol in Ireland, may lawfully be confined in any Prison or Bridewell of such County subject to the Provisions of this Act; and whenever any new Prison or old Prison, previously under Repair, shall be made ready for the Reception of the Prisoners of the County to which they respectively belong, and the Board shall have given Notice thereof to the Sheriff of such County, it shall be lawful for such Sheriff, subject to the Provisions of this Act, to remove to such Prison all such Prisoners belonging to such County as may be in his Custody, and no such Removal shall constitute an Escape.

Houses of Correction on same Ground as Prisons to be Part thereof.
19 & 20 Vict.
c. 68. s. 29.

115. No House of Correction shall in future be built as a separate Place of Confinement in addition to a Prison; and any House of Correction which at the Time of the passing of this Act shall be built within the same Boundaries as any Prison of the County to which such House of Correction belongs shall be deemed to be a Part of such Prison, and shall be under the Charge of the same Governor and Officers; but any Person who at the passing of this Act

Act shall be the Keeper of a House of Correction which shall not become a Portion of the County Prison by virtue of this Clause shall continue to act as such Keeper with the like Salary as heretofore; provided that no Sheriff shall be answerable for the safe
 5 Custody of any Prisoner who shall be confined in any House of Correction remaining such after the passing of this Act.

Proviso in favour of Sheriff.
 7 G. 4. c. 74. s. 89.

116. All Prisoners sentenced to Penal Servitude shall with all practicable Expedition be transmitted from the County Prisons to the Convict Prisons and Depôts to which they shall by Law be
 10 liable to be removed.

Convicts to penal Servitude to be transmitted with Expedition to Convict Depôts.
 Custody of Prisoners.
 28 & 29 Vict. c. 126. s. 58.

117. Every Prisoner confined in a Prison shall be deemed to be in the legal Custody of the Governor, provided that nothing in this Act contained shall affect the Jurisdiction or Responsibility of the Sheriff in respect of Prisoners under Sentence of Death, or his
 15 Jurisdiction or Control over the Prison where such Prisoners are confined, and the Officers thereof, so far as may be necessary for the Purpose of carrying into effect the Sentence of Death, or for any Purpose relating thereto; and in any Prison in which Sentence of Death is required to be carried into effect on any Prisoner,
 20 whether such Prison is or not the Common Gaol of the County, the Sheriff shall, for the Purposes of carrying that Sentence into execution, be deemed to have the same Jurisdiction with respect to such Prison as he has by Law with respect to the Common Gaol of a County, or would have had if this Act had not passed.

118. The Sheriff shall not be liable for the Escape from Imprisonment of any Prisoner other than Debtor.

Responsibility of Sheriff.
 28 & 29 Vict. c. 120. s. 60.

119. Any Writ, Warrant, or other legal Instrument addressed to the Governor of a particular Prison, describing the Prison by its Situation or other definite Description, shall be valid, by whatever
 30 Title such Prisoner is usually known, or whatever be the Description of the Prison, whether Gaol, House of Correction, Bridewell, Penitentiary, or otherwise.

Description of Prison in Writ.
 28 & 29 Vict. c. 126. s. 61.

120. A Prisoner may be brought up for Trial, and may be removed by or under the Direction of the Governor from one
 35 Prison to another, or from one Place of Confinement to another to which such Prisoner may be legally removed for the Purpose of being tried or undergoing his Sentence, and no Prisoner whilst in the Custody of a Governor shall be deemed to have escaped although he may be taken into different Jurisdictions or different
 40 Places of Confinement.

Removal of Prisoners for Trial.
 28 & 29 Vict. c. 126. s. 62.

Removal of Prisoners.

Powers of
Lord Lieutenant
to direct
Removal of
Prisoners.
19 & 20 Vict.
c. 68, s. 36.
7 G. 4, c. 74,
s. 43.

121. It shall be lawful for the Lord Lieutenant from Time to Time, by Order in Writing, signed by the Chief or Under Secretary, to direct that any Person being committed to or sentenced to be imprisoned in, or any Person being imprisoned in any Prison, Bridewell, or other Place of Confinement in Ireland, by virtue of any Process, civil or criminal, or by virtue of any Order or Writ of any Court of Justice in Ireland, shall be removed to such other Prison, Convict Prison, Bridewell, or Place of Confinement, and for such Time within the lawful Period of his or her Imprisonment as to the Lord Lieutenant shall seem expedient; and every Person so removed shall be deemed to be in the proper legal Custody during the Time of such Removal, and during such Time as he shall be in the Place to which he shall be so removed, in like Manner as if such Person had been continued in his original Place of Confinement; and no Right, Liability, or Function of any Person whatsoever, which, if such Removal had not taken place, would have existed, or could or might have been used or exercised, shall be in any Degree affected in consequence of any such Removal, and no such Removal shall be deemed an Escape; and the Expenses of any Removal under this Section shall be borne by the Board of the Prison or Bridewell from which such Removal is made, and shall be included in their Accounts and Estimates, and presented accordingly.

Lord Lieutenant
may order Ex-
penses of
Removal,
Maintenance, &c., of
removed Prisoner
to be paid by the
County to which he
belongs.

122. In case any Prisoner shall be removed by virtue of the last preceding Section from any Prison or Bridewell subject to the Provisions of this Act to any other Prison or Bridewell or Place of Confinement, not being supported by Presentment off the County of such first-mentioned Prison or Bridewell, the Lord Lieutenant shall, if it appears just to him so to do, direct that the Costs incident on such Removal, and on the Imprisonment of such Prisoner in such last-mentioned Prison, Bridewell, or Place of Confinement, shall be paid by the Board of such first-mentioned Prison or Bridewell to the Board of such last-mentioned Prison, Bridewell, or Place of Confinement; and such Costs shall comprise as well the Costs of Removal of such Prisoner, and of again removing him or her to the original Place of Custody, and of the Maintenance of such Prisoner in the new Place of Custody, and also, in such Cases as the Lord Lieutenant shall think it expedient, a proportional Share of the Establishment Charges of such latter Place of Custody, including the Salaries of the Officers thereof, a Rentage Charge for the Cells occupied by such removed Prisoner, and the annual Charges payable in respect of such latter Place of Custody by the Authorities thereof; and it shall be lawful for the Lord Lieutenant to determine a uniform Scale, payable per Diem, in respect of each Prisoner,

Prisoner, for Charge of Maintenance, and also for Establishment Charges; and such Scale shall be applied in all Cases in which the Lord Lieutenant shall order a Payment to be made under the Provisions of this Clause.

- 5 **123.** *In case any Prisoner shall be removed, under the One hundred and twenty-first Section of this Act, under an Order of the Lord Lieutenant, for the Purposes of Justice, it shall be lawful for the Lord Lieutenant, if it shall appear just to him so to do, to direct that the Expenses of removing such Prisoner, and of again*
- 10 *removing such Prisoner to his or her original Place of Custody, including all Expenses incurred in maintaining such Prisoner and providing him with Necessaries, shall be repaid to the Board, by whom such Costs shall in the first instance be defrayed out of such Monies as Parliament shall appropriate for the Purpose.*
- 15 **124.** The Expenses of any such Removal from any Prison or Bridewell subject to the Provisions of this Act, under the One hundred and twenty-first and One hundred and twenty-second Sections of this Act, shall in the first instance be paid as follows; that is to say, by the Governor when the said Expenses shall have
- 20 *been incurred by the Governor or any Officer of any Prison, and by the Local Inspector when the same shall have been incurred by any Officer of a Bridewell; and such Governor and Local Inspector, as the Case may be, shall lay before the Board duly vouched Accounts of such Expenses, and the Board shall thereupon examine*
- 25 *the same, and on being satisfied of the Reasonableness and Accuracy thereof shall pay the same out of any Funds under their Control, and the same shall be included in the Accounts laid before the Grand Jury at the next Spring Assizes, and presented accordingly.*
- 30 **125.** In case, from the Suddenness of any Accident or Emergency, the immediate Removal of the Prisoners in any Prison or Bridewell shall be necessary, it shall be lawful for any Three Justices of the Peace of the County to make an Order for the Removal of such Prisoners, stating in such Order the Cause of such Removal, and
- 35 *the Place, being within such County, to which, with the Consent of the Sheriff, they shall be removed; and thereupon it shall be lawful to deal with such Prisoners in like Manner as if such Order had been made by the Lord Lieutenant, under the Provisions of the One hundred and twenty-first Section: Provided always, that such*
- 40 *Justices shall forthwith notify such Removal and the Cause thereof to the Lord Lieutenant.*

Lord Lieutenant may direct Payment of Expenses of Removal.

Expenses shall in the first instance be paid by Governor of Prison or by Local Inspector. As to Payment of Expenses of Removal under last and following Sections. 18 & 20 Vict. c. 68. s. 36. 1 Vict. c. 6. 10 & 11 Vict. c. 45. 12 & 13 Vict. c. 19. 14 & 15 Vict. c. 85. s. 4.

Removal of Prisoners by Order of Justices. 7 G. 4. c. 74. s. 46.

PART VII.

OFFENCES RELATING TO PRISONS.

Penalties
for Offences
against
Prison Laws.

126. Every Prisoner who shall escape or attempt to escape or to break Prison from any Prison or Bridewell, and every Person who shall rescue any Prisoner, or shall assist any Prisoner in escaping to attempting to escape or in breaking Prison, from any Prison or Bridewell, shall, whether an Escape be actually made or not, be guilty of Felony, and being convicted thereof shall be kept in Penal Servitude for any Term not being less than *Four* or more than *Eight* Years; and if any Person shall convey or cause to be conveyed into any Prison or Bridewell any Mask, Visor, or other Disguise proper to facilitate the Escape of any Prisoner, or shall deliver or cause to be delivered to any Prisoner any Mask, Visor, or other Disguise, or any Letter or other Thing, with Intent that the same shall be used for the Purpose of an Escape or an Attempt to escape, such Person shall be deemed to have assisted a Prisoner in escaping or attempting to escape within the Meaning of this Section.

Against as-
sisting in
Escapes.
19 & 20 Vict.
c. 68. s. 32.
28 & 29 Vict.
c. 196. s. 37.

Trials for
Escapes.
19 & 20 Vict.
c. 68. s. 33.

127. Any Prisoner escaping, breaking Prison, or being rescued therefrom may be tried either in the Jurisdiction where the Offence was committed or in that where he or she shall be apprehended and retaken; and in case of any Prosecution for any such Escape, Attempt to escape, Breach of Prison, or Rescue, either against the Prisoner escaping or attempting to escape, or having broken Prison, or having been rescued, or against any other Person concerned therein as aiding, abetting, or assisting the same, if such Prisoner shall be a convicted Prisoner a Certificate given by the Clerk or Registrar of the Court in which any such Prisoner shall have been convicted shall, together with the Proof of the Identity of such Prisoner, be sufficient Evidence of the Nature and Fact of the Conviction and of the Species and Term of Confinement to which such Prisoner was sentenced.

Penalty on
conveying
prohibited
Articles into
Prison.
7 G. 4. c. 74.
s. 110.
19 & 20 Vict.
c. 68. s. 34.

128. If any Person shall introduce or attempt to introduce into any Prison or Bridewell, or into the Four Courts Marshalsea, unless under competent Authority, any Money, Document, Letter, spirituous or fermented Liquors, Tobacco, or any other Article prohibited by the Rules of the Prison, it shall be lawful for any Person to cause such Offender to be conveyed before any Justice of the Peace of the County to which the Prison, Bridewell, or Marshalsea belongs, who is hereby empowered to hear and determine as to any such Offence in a summary Way, and upon Conviction such Offender shall pay such Sum, not exceeding *Four Pounds* or less

less than *Forty Shillings*, as the Justice shall impose, or in default of Payment shall be imprisoned, with or without Hard Labour, for any Term not exceeding *Three Calendar Months*; and in the event of such Fine being paid *One Half* of the same shall be handed to the Informer, if any.

129. No Fee or Gratuity whatever shall be paid or payable by any Prisoner, whether a Debtor Prisoner or otherwise, on his Entrance, Commitment, Continuance in Custody, or Discharge, or on any Occasion whatever, any Law, Customs, or Usage to the contrary notwithstanding; and any Officer or Person who shall demand or receive any Fee or Gratuity, contrary to this Provision shall be dismissed from his Office, and shall be liable to pay the Sum of *Five Pounds* to any Person who shall sue for the same, the same to be recoverable in a summary Way before any Justice of the Peace sitting in Petty Sessions, and in default of paying the said Sum the Offender shall be liable to be imprisoned for any Period not exceeding *Fourteen Days*. The Board shall cause to be affixed in conspicuous Places outside and within the Prison a Notice setting forth the Penalties that will be incurred by Persons committing any Offence in contravention of Sections One hundred and twenty-six, One hundred and twenty-eight, and One hundred and twenty-nine of this Act.

Abolition of Prison Fees, Gratuities, &c.
1 & 2 G. 4. c. 77.
7 G. 4. c. 74. s. 128.

Notice of Penalties to be placed outside of Prison.

PART VIII.

DISPOSAL OF UNNECESSARY PRISONS.

130. When any Prison or Bridewell shall cease to be used as a Prison or Bridewell, it shall be lawful for the Grand Jury of the County to which the same belongs, with the Consent of the Judge of Assize, to present that the whole or any Part of the Estate vested in or in trust for such County in such Prison, with the Appurtenances, or any Part thereof, shall be sold in such Manner as by such Presentment they shall direct, and in the event of such Sale the Purchase Money shall be applied by the Treasurer to the Use of the County; or the Grand Jury may present that such Prison or Bridewell may be used as a Prison of any other Description for such County, or that the same, or any Part thereof, shall be conveyed or demised, gratuitously or otherwise, or for the Purpose of widening or improving any Street or Place adjoining thereto, or for any Public or Charitable Purposes.

Old Prisons to be used, &c., as Grand Jury shall present.
7 G. 4. c. 74. s. 48.

131. In making Title to and conveying any such Estate under the last preceding Section, in case such Prison or Bridewell shall have

Provision as to making Title to and

conveying
such Prison.
7 G. 4. c. 74.
s. 49.

have been used as such for *Seven Years* or more by such County, the Board thereof shall be deemed and are hereby constituted to be seised or possessed of the legal Estate in such Interest therein as shall have previously been vested in any Person or Persons in trust for such County, and if such Interest cannot be ascertained by 5 them, then in Fee Simple; and any *Three Members* of such Board shall have Power to convey any such Estate by Grant, to be executed under their Hands and Seals, and to give a sufficient Receipt for the Purchase Money: Provided also, that no Sale shall take place under the Provisions hereof, save to the best and highest 10 Bidder, and until after such Sale shall have been advertised once in Week at the least during *Three Months* previous to such Sale in the *Dublin Gazette*, and in some Newspapers circulating in such County, and such Advertisements shall be inserted and paid for by the Treasurer, for which he shall be repaid, with lawful Interest, 15 together with all Costs and Charges incurred by him, out of the Purchase Money arising from such Sale: Provided always, that no such Sale shall be invalid by reason of the Omission to do any Act hereby directed.

Power to
apply to
Landed Es-
tates Court.

132. It shall be lawful for the Board, when about to sell any 20 Estate vested in them under the last preceding Section, to present a Petition for the Sale of such Estate to the Landed Estates Court, Ireland, and the Board shall be deemed to be Owners of such Estate within the Meaning of the Act passed in the Session of Parliament held in the Twenty-first and Twenty-second Years of 25 the Reign of Her Majesty, intituled "An Act to facilitate the Sale " and Transfer of Land in Ireland;" and in any Case in which the Board shall proceed by Petition to the Landed Estates Court, Ireland, the Provisions of the last preceding Section as to Bidders and as to Advertisements, shall not be applicable. 30

Natural
Power to
Grand Jurors
to convey
old Prisons
to each other
in case of
Disuse by
reason of
Contract.
19 & 20 Viet.
c. 68. s. 52.

133. In case of any Contract under the Provisions of this Act entered into by any County with any other County for the Adoption of a Joint Prison, or for the Maintenance, under a perpetual Contract, of the Prisoners of such first-mentioned County in the Prison of such other County, it shall be lawful for the Grand Jury 35 of such first-mentioned County, if they shall so think fit, to grant to the Grand Jury of such other County all or any of the old Prisons of such first-mentioned County, and the Ground and Soil thereof, for the whole Estate which such first-mentioned County or any Person in trust for the same County, or the Board of such first- 40 mentioned County, may have therein, and either gratuitously or on such Terms as shall be agreed on; and any Purchase Money payable therefor shall be either paid to the Grand Jury of such other County or

- or shall be allowed in the Account between the Two Counties to be kept in relation to such Joint Prison or Prison in which the Prisoners of both such Counties are maintained; and it shall be lawful for the Grand Jury of such other County to appoint any
- 5 Three Persons to be Trustees for receiving such Grant as aforesaid; and any such Prison, when so granted, shall, if used as a Prison by such County to which it shall be conveyed, be deemed to be within such County.

PART IX.

MISCELLANEOUS PROVISIONS.

- 10
134. Any Action to be brought against any Person for any Matter or Thing done in pursuance of the Provisions of this Act, or in carrying out the same, or purporting to be done in that Behalf, shall be brought within *Six* Calendar Months after the
- 15 doing or happening of such Matter or Thing from which the Cause of Action shall arise.
- Limitation of Action for Things done under this Act.
7 G. 4. c. 74. s. 133.
135. The Defendant in any such Action may plead that the Acts complained purported to be done in pursuance of the Provisions of this Act, and under such Plea the Defendant may give
- 20 the special Matter of this Act in Evidence and rely thereon: Provided that under such Plea the Defendant shall not be entitled to rely on the Provision of the One hundred and thirty-fourth Section of this Act.
- Pleading in such Action.
136. The Defendant in any such Action may, either together
- 25 with or without the Plea given by the One hundred and thirty-fifth Section, plead that the Acts complained of purported to be done in pursuance of the Provisions of this Act, and that the Cause of Action did not accrue within Six Months, and under such Plea the Defendant shall be entitled to rely on the Provisions of the One
- 30 hundred and thirty-fourth Section of this Act.
- Pleading in such Action.
137. And in order that the Purposes of this Act may be more fully carried into effect, the Court shall at every Assizes and Presenting Term make diligent Inquiry by Examination on Oath, in Court or otherwise, and by such other Ways and Means as they
- 35 shall think proper, into the Condition, Discipline, and Management of every Prison and Bridewell in the County, and concerning the carrying into effect of the several Provisions of this Act, and concerning
- Court at Assizes to inquire into carrying out of this Act.
7 G. 4. c. 74. s. 134.
19 & 20 Vict. c. 68. s. 3.

cerning the several Matters for which Presentments are hereby authorized to be made at such Assizes.

Forms in
Schedule
may be
varied.

138. The Forms in the Second Schedule of this Act shall be observed in every Prison or Bridewell to which they respectively refer; but the Lord Lieutenant may from Time to Time alter the same, and direct that any other Forms or Schedules shall be observed in any such Prison or Bridewell in addition to or Substitution for the same; and the said Forms may also from Time to Time be altered, varied, or added to by any other competent Authority, under the Provisions of this Act, or otherwise howsoever. 10

PART X.

BRIDEWELLS.

Bridewells
and Lock-
ups to be
under Con-
trol of
Board.

139. Every Bridewell shall be under the Control and Government of the Board of the County wherein it is situated, and such Board shall provide for the Expenses thereof, and include such Expenses in their Estimates and Accounts laid before the Grand Jury, who shall thereupon present for the same in the Manner provided in the Seventh and Eighth Sections of this Act. 15

County
Prisoners
may be con-
fined in
Bridewells,
subject to
Provisions
of this Act.
7 G. 4. c. 74.
s. 12.

140. All Persons, other than Debtors, arrested or convicted upon any Charge in respect of which they shall be liable by Law, upon such Arrest or Conviction, to be imprisoned in any County Prison, may lawfully be confined in any Bridewell or Lock-up attached to any Constabulary Barrack within such County, subject to the Provisions herein-after contained; and all Bridewells which shall be built, repaired, purchased, or taken at a Rent under this Act shall be deemed and taken to be County Bridewells to all Intents and Purposes; and it shall be lawful for the Lord Lieutenant in Council at any Time to direct that a Bridewell shall be built in any Place in which the same shall be necessary for the Purposes of Justice, and the Grand Jury of the County shall thereupon make Presentments for the building thereof, under the Provisions of this Act. 25 30

Lord Lieu-
tenant may
establish
District
Bridewells.
7 G. 4. c. 74.
s. 92.

141. It shall be lawful for the Lord Lieutenant to direct that any Bridewell heretofore or hereafter built or established shall be denominated a District Bridewell, and that to such District certain District within the County to which it belongs shall be allotted; and all Prisoners imprisoned within such District, either for Trial at or under Sentence of the Court of Petty or Quarter Sessions, may, if the Court shall think fit, be kept in such Bridewell, 35

well, and shall not be transmitted to the County Prison; but no Prisoner sentenced to be imprisoned for any Period exceeding One Month shall be imprisoned in such Bridewell.

142. Prisoners may be confined in Bridewells other than District
 5 Bridewells, or in any Lock-up, such as aforesaid, under Sentences
 of Imprisonment for any Period not exceeding Three Days; but all
 Prisoners sentenced for any longer Period, or committed for Trial
 at Quarter Sessions or Assizes, shall be immediately after such
 Sentence or Committal forwarded to the County Prison or District
 10 Bridewell, unless the Lord Lieutenant shall, by any General Order
 or by any Special Order to be made in any particular Case,
 otherwise direct.

Imprison-
ment in
other than
District
Bridewells
not to exceed
Three Days.

143. The Expense of maintaining Prisoners in any such Lock-up
 shall be certified by the Constables in charge thereof in such Form
 15 as shall be prepared by the Inspectors General of Constabulary and
 the Inspectors General of Prisons, and approved by the Lord Lieut-
 enant; and such Certificates shall be laid before the Board of the
 County, who shall thereupon pay to such Constables the Amount of
 such Expenditure, and they shall include such Amount in their
 20 Estimates and Accounts laid before the Grand Jury, and the same
 shall be presented for and paid to the Board accordingly.

Expenses of
Lock-up.

144. Every Bridewell not more than Three Miles distant from
 the Boundary of the County wherein it is situated may be used by
 the adjoining County whose Boundary shall be within Three Miles
 25 as aforesaid, as if such Bridewell were locally situated therein, in so
 far as relates to the committing thereto and imprisoning therein
 Prisoners belonging to such last-mentioned County; and in case
 any such Prisoners shall be committed to or confined in such
 Bridewell, all the Expenses of removing such Prisoners, as also all
 30 Expenses incident on such Committal and Confinement, including
 a proportional Share of the Expenses of such Bridewell, shall be
 defrayed by the Board of such last-mentioned County, and such
 Prisoners shall be dealt with in all other respects as Prisoners of
 the County to which they belong; and it shall be lawful for the
 35 Board of the County to which such Bridewell belongs to enter into
 a Contract with the Board of such other County, whereby the
 Terms on which the Prisoners of such County shall be confined in
 such Bridewell shall be arranged, and such Terms may from Time
 Time be altered at the Expiration of any Period of Five Years; and
 40 in case of Dispute as to such Terms in the event of any such Revi-
 sion, the Lord Lieutenant may appoint a Barrister of not less than

Bridewells
on the Con-
fines of Two
Counties
may be used
by both
Counties.

Six Years standing to be an Arbitrator between the said Boards in relation thereto, and such Arbitrator shall have the same Powers, and shall proceed in the same Manner in all respects, in relation to such Contract, as herein-before provided in case of an Arbitrator appointed under the Fortieth Section of this Act.

5

Bridewells to be constructed and fitted.

19 & 20 Vict. c. 68, s. 26.
7 G. 4. c. 74. s. 6.

145. Every Bridewell, of whatever Kind, shall be so constructed as to provide for the safe Custody and also the Health of the Prisoners confined therein. It shall consist of at the least Two separate Divisions, One for each Sex, and so constructed as to prevent any Communication between the Male and Female Prisoners; and each Division shall contain an adequate Number of Cells and Day Rooms of sufficient Size, and lighted, warmed, and ventilated, artificially or otherwise, in such a Manner as shall be required for the Preservation of Health.

Each Division of every Bridewell to contain a Yard and a Supply of good Water.
19 & 20 Vict. c. 68, s. 26.
7 G. 4. c. 74. s. 6.

146. Each Division of every Bridewell shall contain a Yard of sufficient Dimensions to enable the Prisoners to take Exercise therein, and shall contain a Supply of good Water, and shall also have a Privy sufficiently provided in respect to Sewerage; and every such Bridewell shall be sufficiently provided in respect to Drainage, and shall contain proper Accommodation for the Officers thereof of both Sexes, and shall be provided with Kitchen Furniture and other Utensils; and all Repairs, Enlargements, and Improvements, including Means of warming, ventilating, and lighting any such Bridewell, or providing the same with sufficient Water and proper Drainage and Sewerage, which may become necessary in carrying out the Provisions of this Section and the last preceding, shall be duly executed from Time to Time, and the Expense thereof shall be included in the Estimates and Accounts of the Board, and shall be presented for accordingly; and if an Inspector General shall report to the Lord Lieutenant that any Bridewell is, at or after the Expiration of Eighteen Months from the Commencement of this Act, deficient in any of the Accommodations required by this Clause, the Lord Lieutenant may declare that such Bridewell has ceased to be and such Bridewell shall thereupon cease to be a legal Place of Confinement for any Description of Prisoner; and Notice of such Declaration shall be forthwith sent to the Board.

Debtors not to be confined in Bridewells.
7 G. 4. c. 74. s. 92.

147. No Debtor Prisoner shall be confined in any Bridewell; and the several Provisions for the general Regulation of Prisons contained in this Act and the First Schedule thereof, both inclusive, shall extend to all Bridewells, as far as the same can be made applicable thereto.

148. The

148. The Board are hereby required to appoint a Keeper of each Bridewell, and One Matron at the least, and such other Officers, Male and Female, as shall be necessary for the Purpose of effectually carrying out all the Regulations from Time to Time in force in relation to such Bridewell and the Prisoners therein, and the said Board shall have the same Powers in relation to the Keeper, Matron, and Officers of each Bridewell as they have in relation to the Governor and Officers of the County Prison.

Keepers and Matrons of Bridewells to be appointed.

149. The Provisions relating to Governors of Prisons contained in the One hundredth, One hundred and first, One hundred and seventh, One hundred and ninth, One hundred and tenth to One hundred and seventeenth (both inclusive), One hundred and nineteenth, One hundred and twentieth, and One hundred and twenty-first Clauses of the First Schedule to this Act, shall apply to Keepers of Bridewells, except (in the Case of Bridewells not being District Bridewells) so much of the One hundred and nineteenth Clause as relates to keeping an Account; and the Provisions of the One hundred and eighteenth and One hundred and twenty-second Clauses of the said Schedule shall apply to all Keepers of District Bridewells: Provided always, that it shall not be necessary for the Keeper of any Bridewell to bring any Prisoner before any Justice or Justices at Petty Sessions in any Case of Adjournment or Remand under the Provisions of "The Petty Sessions (Ireland) Act, 1851," but in any such Case the Custody of any such Prisoner shall be transferred to the Sub-Inspector or Head Constable of Constabulary, or other Person to whom the Warrant for that Purpose shall be addressed.

Certain provisions of this Act to apply to Keepers of Bridewells.

150. If any Prisoner shall be guilty of offending against the Rules of the Bridewell, or of breaking Windows, or otherwise injuring the Bridewell or any Part of the Furniture thereof, the Keeper of the Bridewell shall at the earliest Opportunity bring such Offender before a Justice of the Peace of the County to which such Bridewell belongs, and such Justice may inquire upon Oath and determine concerning any such Offence, and may order the Offender to be punished by Solitary Confinement on Bread and Water for any Period not exceeding One Month: Provided always, that when such Period shall extend beyond the Time during which such Prisoner shall be liable to remain in such Bridewell, or if at the Time of the Commission of such Offence the Period during which such Prisoner can be lawfully retained in such Bridewell shall have expired, the Remainder or the whole of such Imprisonment shall be carried out in the County Prison of the County to which such Bridewell belongs.

Punishment of Offences against Bridewell Rules.

Salaries of
Keepers and
Matrons.
7 G. 4. c. 74.
s. 105.

151. The Board shall appoint such Salaries for the Officers of Bridewells as shall appear reasonable; provided that in District Bridewells the Salary of the Keeper shall not be less than *Fifty Pounds* a Year, and that of the Matron not less than *Twenty-five Pounds* a Year, and in other Bridewells the Salary of the Keeper shall not be less than *Thirty Pounds* a Year, and that of the Matron not less than *Ten Pounds* a Year; and all such Salaries shall be included in the Estimates and Accounts of the Board, and presented accordingly.

Lord Lieutenant may discontinue Bridewells.
7 G. 4. c. 74.
s. 90.

152. The Lord Lieutenant may from Time to Time, by Warrant to be published in the *Dublin Gazette*, order that any District Bridewell which may be unnecessary or unfit for the Purposes thereof shall no longer be used as a District Bridewell, or that any Bridewell of whatever Kind which may be unnecessary shall no longer be used as a Bridewell or Prison; and from and after such Day as shall be named in such Warrant such District Bridewell shall cease to be a District Bridewell, or such other Bridewell shall cease to be used as a Place of Confinement, as the Case may be; and in the latter Case it shall not be lawful to imprison or confine any Person therein under any Order or Authority or on any Pretext whatsoever.

Auxiliary Board of Superintendence of Bridewell.
19 & 20 Vict.
c. 68, s. 25,
repeals.
7 G. 4. c. 74.
s. 98.

153. The Board of the County shall exercise a general Control and Authority over every Bridewell in the County, as herein-before provided, and shall have similar Powers in respect to the same to those vested in them by this Act in relation to Prisons and without Prejudice to such Authority the Justices of the Peace, or any of them (to be selected by the said Board), who usually attend the Petty Sessions of any Petty Sessions District in which such Bridewell is situate, are hereby constituted an Auxiliary Board of Superintendence of such Bridewell, for the Purpose of inspecting the same, and of reporting to the Board of Superintendence in relation to the Repairs of such Bridewell, the Supply of Necessaries therein, the Cost of Dietary according to the average Prices in the neighbouring Markets, the keeping of the Registry and List of Commitments, and as to all Matters affecting the Health and Discipline of the Prisoners in such Bridewell, and the Conduct of the Officers thereof; and such Justices and each of them shall have full Power and Authority from Time to Time to inquire into all Matters and Things connected with such Bridewell, and to examine Witnesses on Oath in relation thereto, and to report to the Board of Superintendence all such Matters and Things as may seem fit and proper to be communicated to such Board, or to be known by them, and in particular as to the Manner in which the several Regulations from

from Time to Time lawfully in force in relation to such Bridewell are respectively observed and carried out.

154. A Return shall be made by the Keeper of every Bridewell, in the Form No. 21 in the Second Schedule to this Act annexed, or in such other Form as the Lord Lieutenant shall approve, of the Committal and Discharge of Prisoners, and all Expenses incurred in such Bridewell for or in respect of such Prisoners; and one Copy of such Return shall be preserved in the Bridewell and another shall be transmitted to the Board of the County within Fourteen Days after the Thirty-first Day of March, the Thirtieth Day of June, the Thirtieth Day of September, and the Thirty-first Day of December in each Year; and the Board shall examine and certify such Copy, and shall administer to the Keeper an Oath as to the Truth of such Return, and thereupon shall pay the Amount of the Expense so incurred and specified in such Return, together with Allowances for Fire, Candles, and Straw; and it shall be lawful for the Central Board of Superintendence to add the Amount mentioned in such Return, or so much thereof as shall be certified by the Board to have been properly incurred, to their annual Estimate or Account, under the One hundred and eleventh and One hundred and thirteenth Sections of this Act, and the same shall be dealt with accordingly; provided that it shall be lawful for the Board of Superintendence, if they shall so think fit, to delegate their Powers and Duties in reference to such Return to the Auxiliary Board, and thereupon such Auxiliary Board shall exercise such Powers and Duties, and shall certify to the Central Board all the Monies payable thereunder or in respect thereof, who shall receive such Monies from the Central Board for Distribution of the Amount mentioned in such Return as shall be certified by the Board to have been properly incurred; and every such Keeper shall, at the Times specified as aforesaid, furnish to the Inspectors General of Prisons a Return certifying the Number of Prisoners confined in the Bridewell during the preceding Quarter, together with the Number of Men actually issued to such Prisoners whilst so confined, and the Cost of their Maintenance, and the Number of Prisoners committed thereto for Drunkenness.

Return to be made by Keepers of Bridewells, and Expenses to be paid. 19 & 20 Vict. c. 68, s. 27. 7 G. 4. c. 74. s. 96.

PART XL

FOUR COURTS MARSHALLS.

155. The Marshalls of the Four Courts shall be kept separate and distinct from all other Prisons, and shall be under the Care of [207.] G 2 a Governor,

Marshalls to be under

Care of
Marshal.

7 G. 4. c. 74.
ss. 118, 123.
19 & 20 Vict.
c. 68. s. 17.

a Governor, to be styled the Marshal of the Four Courts, and such Staff of Officers, consisting of Deputy Marshal, Local Inspector, Chaplain, Medical Officer, Apothecary, Hatchmen, and other Officers as the Lord Lieutenant shall appoint.

Salaries to
be paid, as
Lord Lieu-
tenant shall
direct, out of
Funds to be
provided by
Parliament.
19 & 20 Vict.
c. 68. s. 17.
7 G. 4. c. 74.
ss. 119, 123.

156. *The Marshal shall reside constantly in the Marshalsea, and he and all other Officers of the Marshalsea, including the Hatchmen and inferior Officers, shall be appointed by and removable at the Will and Pleasure of the Lord Lieutenant; and the Marshal and such Officers respectively shall be paid such Salaries as the Lord Lord Lieutenant, with the Sanction of the Commissioners for the Time being of Her Majesty's Treasury, shall in that Behalf direct, and thereupon all former Salaries payable to any of such Officers shall cease; and such Salaries, and also the Expenses of providing all such Articles as shall be necessary for the Support of the poor Prisoners in the Marshalsea, shall be paid out of any Monies appropriated by Parliament for the Purpose.*

Lord Lieu-
tenant to
make Bye-
laws for
Marshalsea.
7 G. 4. c. 74.
s. 120.

157. It shall be lawful for the Lord Lieutenant, by an Order under the Hand of the Chief or Under Secretary, to direct that any Byelaws or Regulations to be specified or referred to in such Order shall be observed and carried out in relation to such Marshalsea, 20 and the Management thereof and of the Prisoners therein.

Classifica-
tion of the
Prisoners.
7 G. 4. c. 74.
s. 120.
20 & 21 Vict.
c. 60. s. 240.

158. Subject to such Regulations as last aforesaid, the Prisoners confined in the said Marshalsea shall be divided into so many Classes and separated in such Manner as the Lord Lieutenant shall appoint, provided that there shall not be less than Three Classes of 25 Male Prisoners, the first containing Prisoners paying Rent for their Lodging, the second containing the Common Hall Prisoners subject to no Rent, but who shall supply Furniture, Food, and Necessaries for themselves, and the third containing Pauper Prisoners, who shall be and are hereby entitled to all the Allowances 30 of Furniture, Clothing, and Food supplied under this Act to poor Prisoners in County Prisons, and subject to similar Regulations; provided that no Person shall be entitled to receive such Allowances without making and subscribing the Declaration contained in "The Irish Bankrupt and Insolvent Act, 1857," Section Two hundred and 35 forty.

Rates of
Lodgings
shall be
under the
like Order.
7 G. 4. c. 74.
s. 121.

159. The Rates payable by way of Rent for Lodgings to which the Prisoners of the First Class are to be made subject, as well as the Apartments to which they shall extend, shall be regulated from Time to Time by the Rules and Regulations so to be established 40 under

under the Sanction of the Lord Lieutenant, and the Amount thereof shall be received by the Marshal, and paid to the Local Inspector, and placed to the Credit of his Account.

160. No Officer whatsoever of the Marshalsea shall, under any
 5 Circumstances whatsoever, receive any Fees or Emoluments from
 any of the Prisoners confined therein; and if any such Officer shall
 exact, demand, take, or receive from any Prisoners in the said
 Marshalsea any Money by way of Fee, Reward, or Gratitude, or shall
 exact any Sum greater than the regulated Rates for the Lodging of
 10 any Prisoner, the Officer who shall so offend shall forfeit for the
 First Offence the Sum of *Fifty Pounds*, the *one Moiety* thereof to
 be payable to Her Majesty, and the *other Moiety* to the Person from
 whom such Money shall have been exacted, who may sue for and
 recover the same in any of the Superior Courts of Common Law at
 15 Dublin; and if after such Conviction such Officer shall again so
 offend he shall thereupon forfeit his Office, and be incapable of
 holding the same or of being employed under the Four Courts.

Penalty on
Officers
taking Fees.
7 G. 4. c. 74.
s. 122.

161. The Lord Chancellor and other Judges of the High Court
 of Chancery in Ireland, the Judges of the Superior Courts of
 20 Common Law at Dublin, and the Judges of the Landed Estates
 Court, Court of Bankruptcy and Insolvency, and of the Court of
 Admiralty in Ireland, shall have and exercise the same Powers with
 respect to ordering the Marshal to take into Custody any Person
 committed by them respectively, or to bringing before them any
 25 Prisoners in his Custody, as the Judges of the said Courts of
 Common Law have heretofore exercised in relation to the Four
 Courts Marshalsea.

Judges, &c.
to have same
Powers as to
Persons in
Marshalsea
heretofore.
19 & 20 Viet.
c. 68. s. 3.

162. It shall be lawful for the Lord Lieutenant to direct that
 the Marshalsea shall be altered, enlarged, or repaired, or that a new
 30 Marshalsea shall at any Time be built on the same or any other Site
 or Situation, and on any Plan which he shall think proper, and to
 issue his Order to the Commissioners of Public Works in Ireland
 for the executing of such Work accordingly; and the said Commis-
 sioners of Public Works in Ireland shall cause such Work to be
 35 executed according to such Order, and in such Way, whether by
 Contract or otherwise, as shall be directed by such Order, and for
 default of such Direction then in such Way as the said Commis-
 sioners of Public Works in Ireland shall think expedient.

Lord Lieuten-
ant may
order en-
larging, &c.
of Marshalsea,
&c.
7 G. 4. c. 74.
s. 10.

163. The Expense of altering, enlarging, and repairing the
 40 Marshalsea, and all Rent payable in respect thereof, or of the
 [207.] G 3 Ground

Expenses of
altering, &c.
Marshalsea,

See how to
be paid.
7 G. 4. c. 74.
s. 7.

Ground or Appurtenances thereof respectively, shall be paid out of any Monies which may be appropriated by Parliament for the Purpose.

Lord Lieutenant may remove Prisoners in Marshalsea.
7 G. 4. c. 74.
s. 58.

164. It shall be lawful for the Lord Lieutenant, on the finishing of a new Marshalsea, or on the Occasion of repairing the present Marshalsea, or for any other Reason which shall appear to him sufficient, to order that all or any of the Prisoners in the said Marshalsea shall be removed to any other Prison specified in such Order, there to remain until discharged by due Course of Law, or until removed by another Order of the like Nature, or remanded to the said Marshalsea, and no such Removal shall be deemed an Escape.

165. The Local Inspector of the Four Courts Marshalsea shall have Authority at any Time, if directed to do so by the Lord Lieutenant, or if such Local Inspector shall see fit, to inquire into the Management and Discipline of the Marshalsea, and into the Conduct of any Officer or Officers thereof, and of any Prisoner or Prisoners confined therein, and to report the Result of such Inquiry and the Evidence received thereon to the Lord Lieutenant; and the Local Inspector, in holding any Inquiry under this Section, shall have Authority to require the Production of all Books, Documents, and Papers which he shall deem necessary, and to examine all Persons as Witnesses upon Oath.

PART XI.

REPEAL OF STATUTES, AND SAVING CLAUSES.

Acts and Parts of Acts in Third Schedule repealed.

166. After the Commencement of this Act there shall be repealed the several Acts specified in the Third Schedule hereto, to the Extent in the said Schedule mentioned.

No Repeal hereby enacted to affect any Order made, &c.

167. No Repeal hereby enacted shall affect

1. Any Order made, Sentence passed, or other Act or Thing duly done under any Acts hereby repealed:
2. Any Right or Privilege acquired, any Security given, or other Liability incurred under any Act hereby repealed:
3. Any Penalty, Forfeiture, or other Punishment incurred in respect of any Offence against any Act hereby repealed:
4. Any

4. Any Appointment to an Office made under any Act hereby repealed, or any Power of removing the Holder of such Office, or otherwise dealing with such Office as respects the existing Holder thereof in manner provided by any Act hereby repealed :

5. The Power of committing Prisoners to any Prison, except in so far as the same may be altered, in pursuance of Powers given by this Act.

168. All Cells certified before the Commencement of this Act by any Inspector of Prisons as being fit to be used for the separate Confinement of Prisoners shall be deemed to be Cells certified for such Purpose under this Act. Certificate as to Cells.

169. Any unrepealed Act of Parliament in which Reference is made to the Provisions of any Act hereby repealed shall be construed as if in such first-mentioned Act Reference had been made to the corresponding Provisions of this Act. Saving as to repealed Provisions referred to in other Acts.

170. Nothing in this Act contained shall affect the Tenure of Office, Compensation, Salary, or Superannuation Allowance of any Person appointed to any Office appointed prior to the Commencement of this Act, but such Person shall remain entitled to the same Compensation, Tenure of Office, Salary, and Superannuation Allowance as if this Act had not passed; provided that all the Inspectors General, and all Prison Officers appointed before the Commencement of this Act, shall perform the Duties and have the Powers annexed to their respective Offices by this Act; and all Prison Officers appointed before the passing of this Act shall be subject to the Powers of Suspension and Removal given by this Act. Saving of Superannuation Allowances.

171. All Rules and Byelaws in force in any Prison that are inconsistent with this Act, or the Regulations in the Schedule hereto, shall be repealed from and after the Commencement of this Act, but all other Rules in force in any Prison shall so continue until altered in manner in this Act provided. Saving as to Rules.

172. Nothing in this Act contained relating to the Custody of Prisoners shall affect the Validity of any Commission of Gaol Delivery, Commission of Oyer and Terminer, or other Commission, Precept, Writ, Warrant, or other Document, notwithstanding the same Saving as to Commissions.

same may be addressed to or make Mention of the Sheriff of any County, City, or Place, instead of being addressed to or making Mention of the Gaoler of a Prison or Prisons; and every such Commission, Precept, Writ, Warrant, or other Document shall be obeyed by the Gaoler, and take effect in the same Manner as if the Gaoler had been named therein instead of the Sheriff.

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34.

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38. Infirmary.

Employment of Prisoners.

39. Prisoners not providing themselves with Necessaries to be kept at Work.

40. Work and Earnings of Debtors.

41. Employment of Criminal Prisoners before Trial.

42. Allowance out of Earnings.

43. No Work to be carried on inconsistent with the Discipline of the Prison, or which the Lord Lieutenant shall signify to the Board to be inexpedient.

Hard Labour.

44. Board to make Provision for carrying out Sentences to Hard Labour.

45. No Prisoner to be put to Hard Labour unless sentenced thereto ; Exception when necessary for Supply of Prison with Water.

46. Regulations as to Hard Labour of the First Class.

47. Regulations as to Hard Labour of the Second Class.

48. Days of Exemption from Hard Labour.

49. Examination by Medical Officer of Prisoners at Hard Labour.

Religious Instruction.

50. Chaplains to superintend Instruction.

51. Chaplains to visit the Prison.

52. Divine Service.

53. Room for Use as Chapel.

54. Visitation of Prisoners not having a Chaplain appointed.

Secular Instruction.

55. Instruction of Prisoners.

56. Books and Materials.

Visits to and Communications with Prisoners.

57. Communication with Prisoners.

58. Power of Gaoler as to Visitors.

59. Prisoners to see legal Advisers.

60. Convicted Prisoners to see Relations once only in Three Months.

Prison Offences.

61. General Regulation as to Punishment.

62. Governor to punish for Prison Offences.

63. Use of Irons.

64. Punishment of Prisoners by Justice of the Peace.

65. Corporal

65. Corporal Punishments.
66. Prisoners under Sentence of Death.

Prison Officers.

67. Duties of subordinate Officers.
68. Subordinate Officers not to be absent without Leave.
69. Subordinate Officers not to receive Visitors without Leave.
70. Subordinate Officers to examine Cells, Locks, &c.
71. Prisoners not to be employed as Officers.
72. Prison Officers to be Peace Officers.
73. Officers not to sell or let to Prisoners.
74. Officers not to follow Trades.
75. Officers not to contract with Prisoners.
76. Officers not to take Gratuities.

Local Inspector.

77. Duties of Local Inspector.
78. To regulate Supply of Food.
79. To visit Prisons.
80. Reports.
81. To furnish Return of Prisoners tried, &c.
82. Clerks of Crown and Peace to furnish Reports.
83. Travelling Expenses.

Chaplains.

84. Duties of Chaplains.
85. Chaplain to keep Journal.
86. To report Abuses.
87. May visit Prisons at all Times.

Medical Officers.

88. Duties.
89. Visits.
90. Treatment of Prisoners.
91. To examine Prisoners before Admission.
92. To inspect Prisons.
93. To report special Cases.
94. To call in additional Medical Aid.
95. To make Entries of Deaths.
96. To appoint Substitute when absent.
97. To keep a Journal.
98. To make daily Reports.
99. Duties of Apothecary.

The Governor.

100. Qualifications.
101. Residence.
102. Security for due Performance of Duties.
103. Security to be by Recognizance.

No.

104. Board may sanction Security of Guarantee Society.
105. Application of Moneys recovered.
106. Additional Security.
107. Duties of Governor.
108. May suspend subordinate Officers.
109. Custody of Prisoners.
110. Shall not be absent at Night.
111. Shall visit Cells daily.
112. Nightly Visits.
113. To post in Cells Abstract of certain Regulations.
114. To report to Medical Officer Prisoners disordered in Mind.
115. To notify to Chaplain and Medical Officer Prisoners requiring their Attention.
116. To give Notice of Death of Prisoners.
117. To report to the Board insane Prisoners.
118. To have Sentences to Hard Labour carried out.
119. To keep poor Prisoners at Work.
120. Governor not to employ Prisoners for his own Purposes.
121. Governor not to let for Hire any Room, &c. of Prison.
122. May confine Prisoners in a different Class.
123. To keep enumerated Books and Accounts.
124. To be responsible for safe Custody of Documents.

Deputy Governor.

125. In the Absence of Governor, or by Order of Board, to have Powers of Governor.

The Matron.

126. To reside in the Prison.
127. Duties of Matron.
128. To inspect Female Prison daily.
129. Not to be absent without Leave.
130. Admission to Female Department.
131. To keep a Journal.
132. Deputy Matron.

Schoolmaster, Schoolmistress, and Trades Instructors.

133. Instruction by.

Gate Porter.

134. Duties of.

SCHEDULE II.—Forms.

SCHEDULE III.—Acts repealed.

SCHEDULE I.

REGULATIONS FOR GOVERNMENT OF PRISONS.

General.

1. The Prison shall be kept in a cleanly State, and the Walls and Ceilings
 5 of the Wards, Cells, Rooms, and Passages used by the Prisoners throughout
 every Prison shall either be painted with Oil, or be limewashed, or partly
 painted and partly limewashed. Where painted with Oil the Painting shall
 be washed with Hot Water and Soap once at least in every Six Months.
 Where limewashed the Limewashing shall be scraped and renewed twice at
 10 least in every Year. The Day Rooms, Work Rooms, Passages, and sleeping
 Cells shall be washed or cleansed once a Week, or oftener if requisite. The
 Straw used by the Prisoners shall be renewed once in every Two Months.
 A Fire shall be kept burning in each Day Room for Ten Hours of the Day,
 from the First Day of October to the First Day of April in every Year, and
 15 at such other Times as the Board shall deem necessary. Thermometers shall
 be placed in suitable Positions within the Prisons, and a Record of the Tem-
 perature shall be kept by the Governor.
2. Nothing shall be allowed to grow against the outer Walls of the Prison,
 nor any Rubbish or other Articles to be laid against them, nor shall any
 20 Ladders, Tools, or Implements of any Kind likely to facilitate Escape, be left
 unnecessarily exposed.
3. No Horses, Dogs, Cows, Pigs, Cattle, or other Animals, or Poultry of
 any Kind, shall be kept within any Prison.
4. No Subordinate Officer of any Prison shall allow any other Person to
 25 sleep in his Apartments without Permission from the Governor; such Per-
 mission, when given, shall be reported by the Governor to the Board at its
 next Meeting.
5. A Report shall be made to the Governor at Ten o'Clock each Night
 whether the Officers resident in the Prison are all present, and no Ingress
 30 or Egress shall be allowed into or out of the Prison between the Hours of Ten
 o'Clock at Night and Six o'Clock in the Morning, except to the Governor and
 his Family, the Chaplain, or Surgeon, or in special Cases, which shall be
 entered in the Journal of the Governor. Tell-tale Clocks shall be placed in
 suitable Positions in the Prison, and shall be duly marked by the Officers on
 35 Night Watch or Patrol. All proper Precautions shall be taken to prevent
 such Clocks being tampered with.
6. No Gaming shall be permitted in any Prison, and the Governor shall
 seize and destroy all Dice, Cards, or other Instruments of Gaming. No Swear-
 ing, profane or indecent Language, or unreasonable Noise shall be allowed in
 40 any Prison.
- [207.]

Cleanliness in
 Prisons.
 28 & 29 Vict.
 c. 124, sch. 1.
 No. 1.
 7 G. 4. c. 24.
 s. 103. cl. 7.

Things not
 allowed against
 Walls.
 28 & 29 Vict.
 c. 124, sch. 1.
 No. 2.

No Animals or
 Poultry to be
 kept in Prison.
 7 G. 4. c. 24.
 s. 104.
 Visitors not to
 sleep in Prison.
 28 & 29 Vict.
 c. 124, sch. 1.
 No. 4.

Hours of
 locking and
 unlocking
 Prisons.
 28 & 29 Vict.
 c. 124, sch. 1.
 No. 5.

Gaming prohib-
 ited, Swearing
 and profane
 Language and
 Noise forbid-
 den.
 7 G. 4. c. 24.
 s. 105.
 28 & 29 Vict.
 c. 124, sch. 1.
 No. 30.

Search of Prisoners on Admission.

28 & 29 Vict. c. 126. sch. 1. No. 6.

Prisoner to be searched when searched, and Female Prisoners to be searched by Females only.

28 & 29 Vict. c. 126. sch. 1. No. 7.

Effects retained by Clerk.

15. No. 8.

Register of certain Particulars relating to Prisoner.

15. No. 9.

Medical Inspection, Removal, and Discharge of Prisoners.

28 & 29 Vict. c. 126. sch. 1. No. 10.

7 G. 4. c. 74. s. 126. cl. 20.

Expenses in respect of discharged Prisoners.

7 G. 4. c. 74. s. 121.

28 & 29 Vict. c. 126. ss. 41, 42, 43.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

28 & 29 Vict. c. 126. s. 41.

Admission and Discharge of Prisoners.

7. Prisoners on Admission shall be searched, and all dangerous Weapons, Articles calculated to facilitate Escape, and prohibited Articles, shall be taken from them.

8. No Prisoner shall be searched in the Presence of any other Prisoner. 5
Female Prisoners shall be searched by Female Officers only.

9. All Money or other Effects brought into the Prison by any Prisoner, or sent to the Prison for his Use, which he is not allowed to retain, shall be placed in the Custody of the Governor, who shall keep an Inventory of them in a separate Book.

10. The Name, Age, Height, Weight, Features, particular Marks, and general Appearance of a criminal Prisoner shall, upon his Admission, be noted in a nominal Record of Prisoners, to be kept by the Governor. Every criminal Prisoner shall also, as soon as possible, be examined by the Medical Officer, who shall enter in a Book to be kept by the Governor a Record of 15
the State of Health of the Prisoner, and any Observations he may deem it expedient to add.

11. All Prisoners previously to being removed to any other Prison, or being discharged from Prison, shall be examined by the Medical Officer; and no Prisoner shall be removed to any other Prison, except in case of Necessity, 20
unless the Medical Officer shall certify that in his Opinion the Prisoner is free from any Illness rendering him unfit for Removal; and no Prisoner shall be discharged from Prison if labouring under any acute Disease or dangerous Distemper, nor until, in the Opinion of the Medical Officer, such Discharge is safe, unless such Prisoner require to be discharged.

12. On the Discharge of any Prisoner, the Board may, if they shall think fit, direct that such moderate Sum of Money as to them shall seem expedient shall be expended for the Benefit of such Prisoner in enabling him to return to his Home or otherwise. Such Sum shall be expended by the local Inspector. 30

13. When the Term of any Prisoner's Imprisonment would, according to his Sentence, expire on Sunday, such Prisoner shall be entitled to be discharged and shall be discharged on the Saturday next preceeding such Sunday.

Food, Clothing, and Bedding of Prisoners.

14. No Tap shall be kept in any Prison, nor shall spirituous Liquors of any 35
Kind be admitted for the Use of any of the Prisoners therein, under any Pretence whatever, unless by a written Order of the Medical Officer, specifying the Quantity to be admitted, and the Name of the Prisoner for whose Use it is intended; but this Regulation shall not apply to any Stock of spirituous Liquors kept in the Prison for the Use of the Infirmary, and under the 40
Control of the Medical Officer.

15. No smoking shall be allowed, or Tobacco introduced, except under a written Order of the Medical Officer.

16. Any Order by the Medical Officer for the Admission of spirituous 45
Liquors or Tobacco shall be entered by him in his Journal.

17. A Debtor

17. A Debtor shall, subject to Examination, and to such Rules as may be approved by the Board, be permitted to maintain himself, and to procure or receive at proper Hours Food, Clothing, Bedding, or other Necessaries, and, subject to the Sanction of the Medical Officer, Wine or Malt Liquors.
- 5 18. No Part of any Food, Wine, or Malt Liquor, Clothing, Bedding, or other Necessaries belonging to any Debtor shall be given or sold to any other Prisoner; and any Debtor transgressing this Regulation shall lose the Privilege of receiving or purchasing any Wine or Malt Liquor for such a Time as the Board may deem proper.
- 10 19. A Criminal Prisoner before Trial may procure for himself, or receive at proper Hours, Food and Malt Liquor, Clothing, Bedding, or other Necessaries, subject to Examination, and to such Rules as may be approved by the Board; and any Articles so procured may be paid for out of the Moneys belonging to such Prisoner in the Hands of the Governor. No Part of such Food, Malt
- 15 Liquor, Bedding, Clothing, or other Necessaries shall be sold or transferred to any other Prisoner; and any Prisoner transgressing this Regulation shall be prohibited from procuring any Food or other Necessaries for such Time as the Board may deem proper.
- 20 20. Criminal Prisoners before Trial may, if they desire it, wear the Prison Dress, and they shall be required to do so if their own Clothes are insufficient or unfit for Use, or necessary to be preserved for the Purposes of Justice, but not under any other Circumstances. The Prison Dress for Prisoners before Trial shall be of a different Colour from that of convicted Prisoners.
- 25 21. Debtors and Criminal Prisoners before Trial who do not provide themselves with Food, Bedding, and other Necessaries, and Debtors and untried Criminal Prisoners deprived of the Privilege of providing themselves under the Provisions of Clauses 18 and 19 of this Schedule, shall be provided with Food, according to the Dietary for convicted Prisoners, and with such Bedding as is mentioned in the following Clause.
- 30 22. The Bedding supplied to Prisoners shall consist of a Cot or Hammock or Ticker for Straw, Three single Blankets, and a Pair of Sheets to each Bed.
- 35 23. Convicted Prisoners shall in all Cases be supplied with Food according to the Prison Dietary Table as prepared by the Inspectors General, or either of them, and with the Bedding mentioned in the preceding Clause. Prisoners under the Care of the Surgeon shall be allowed such Diet as he may direct.
- 40 24. No convicted Prisoner shall be permitted to procure, receive, or use any Food or Bedding other than that supplied to him aforesaid, unless the Medical Officer of the Prison shall by Certificate under his Hand declare that such other Sustenance, of a Kind and Quantity to be mentioned in such Certificate, shall be requisite for any such Prisoner, and in any such Case the Reasons for granting such Certificate shall be inserted by the Medical Officer in his Journal; and if the Sustenance ordered by such Certificate
- 45 shall be continued for any Period exceeding One Week, a Notice in Writing thereof shall be given by the Medical Officer to the Inspectors-General of Prisons.

Debtor may maintain himself.

28 & 29 Vict. c. 116, s. 69.

No. 16.

19 & 20 Vict. c. 65, s. 15.

Debtor not to sell provisions.

18, No. 11.

Untried Criminal Prisoners not maintaining themselves.

18, No. 16.

Prisoners before Trial may maintain himself.

10 & 20 Vict. c. 65, s. 15.

Dress of Criminal Prisoners before Trial.

18, No. 20.

Prison Allowances to Debtors and untried Criminal Prisoners.

18, No. 18, 19.

19 & 20 Vict. c. 65, s. 15.

Bedding.

7 G. 4, c. 74, s. 75.

19 & 20 Vict. c. 65, s. 15.

Prison Allowances of Food to convicted Prisoners.

19 & 20 Vict. c. 65, s. 15.

Convicted Prisoners restricted to Prison Allowances of Food and Bedding.

19 & 20 Vict. c. 65, s. 15.

Prison Dress.
7 G. 4. c. 74.
& 78.
19 & 20 Vict.
c. 68. s. 12.

25. The Prison Dress shall consist of a Cap, a Jacket, a Shirt, Waistcoat, a Pair of Trousers, a Pair of Socks or Stockings, and a Pair of Shoes to each Male Prisoner; and a Cap, a suitable Gown, Underclothing, Pair of Stockings, and Pair of Shoes for each Female Prisoner; together with such Changes of Underclothing for Prisoners of both Sexes as shall, in the Opinion of the 5 Medical Officer, be requisite for Health and Cleanliness.

Prison Dresses
to be worn by
all Prisoners,
unless Board
shall specially
order otherwise.
19 & 20 Vict.
c. 68. s. 13.

28. All convicted Prisoners shall be supplied with and shall wear the Prison Dress, unless the Board shall otherwise direct, by a special Order in Writing entered in their Minute Book, and signed by a Majority of the Members present at the Meeting at which such Order shall be made; and 10 in all such Cases as last aforesaid the Board shall enter upon their Minutes the special Circumstances under which such Order shall have been made, and shall forthwith furnish to the Inspectors-General of Prisons a Report of such Circumstances, and of the Offence for which the Person respecting whom such Order shall have been made was sentenced, and of the Date and 15 Particulars of such Sentence; and if, upon any such Report being transmitted to the Lord Lieutenant by the Inspectors-General, it shall appear to him that such Order of the Board was not justified by the Circumstances set forth in such Report, the Lord Lieutenant shall, if he think proper, rescind such Order of the Board by an Order under the Hand of the Chief or Under 20 Secretary for Ireland, and by such Order shall direct the Prison Dresses to be worn by the Prisoners specified therein.

Power of Lord
Lieutenant to
rescind the
Order.

Wine, Beer, &c.
not allowed by
the Board.
28 & 29 Vict.
c. 126. sch. 1.
No. 22.

27. No convicted Criminal Prisoner shall be allowed any Wine, Beer, or other fermented Liquor, except under a written Order from the Medical Officer, to be entered in his Journal, specifying the Quantity and the Name 25 of the Prisoner for whose Use it is intended.

Return of
Clothing to
discharged
Prisoner.
Ib. No. 24.

28. On the Discharge of a Prisoner his own Clothes shall be returned to him, unless it has been found necessary to destroy them, in which Case he shall be provided with Clothing.

Purification of
Clothing of
Prisoners.
28 & 29 Vict.
c. 126. sch. 1.
No. 25.

29. If necessary the Clothes of a Prisoner shall be purified before he is 30 allowed to wear them in the Prison, or to take them on his Discharge.

Boas.
Ib. No. 26.

30. Every Male Prisoner shall sleep in a Cell by himself, or under special Circumstances in a separate Bed placed in a Cell containing not fewer than Two other Male Prisoners, and sufficient Bedclothes shall be provided for every Prisoner. A convicted Criminal Prisoner may be required to sleep on 35 a Plank Bed without a Mattress during such Time as may be determined by the Rules of the Prison. Epileptic Prisoners, or Prisoners labouring under Diseases requiring Assistance or Supervision in the Night, may, at any Time, notwithstanding this Regulation, be placed by Order of the Surgeon with not fewer than Two other Male Prisoners. 40

Airing, &c. of
Bedding.
Ib. No. 27.

31. The Bedclothes shall be aired, changed, and washed as often as the Medical Officer or the Board may direct.

Personal Cleanliness.

Personal
Cleanliness of
Prisoners.
28 & 29 Vict.
c. 126. sch. 1.
No. 28.

32. Prisoners shall be required to keep themselves clean and decent in their Persons, and to conform to such Rules as may be laid down for that 45 Purpose by the Board.

33. The

33. The Hair of a Female Prisoner shall not be cut without her Consent, except on account of Vermin or Dirt, or when the Medical Officer deems it requisite on the Ground of Health; and the Hair of Male Criminal Prisoners shall not be cut closer than may be directed by the Medical Officer, for Purpose of Health and Cleanliness.

Hair-cutting.
26 & 29 Vict.
c. 125, sch. 1,
No. 39.

34. Convenient covered Lavatories shall be provided for Prisoners, with an adequate Allowance of Soap, Towels, and Combs.

Lavatories.
7 G. 4 c. 74,
s. 109, ch. 7.

Health of Prisoners.

35. Debtors shall have the Means of daily taking Exercise in the open Air.

Exercise of
Debtors.
26 & 29 Vict.
c. 125, sch. 1,
No. 35.

36. Criminal Prisoners, if employed at Work in their own Cells, shall be permitted to take such Exercise in the open Air as the Medical Officer may deem necessary for their Health.

Of Prisoners
in separate
Confinement.
Ib. No. 40.

37. The Names of the Prisoners who desire to see the Medical Officer, or appear out of Health, shall be reported by the Officer attending them to the Governor, and by him without Delay to the Medical Officer.

When Pri-
soners to be
reported to
Medical Officer.
Ib. No. 41.

38. All Directions given by the Medical Officer in relation to any Prisoner, with the Exception of Orders for the Supply of Medicines, or Directions in relation to such Matters as are carried into effect by the Medical Officer himself, or under his Superintendence, shall be entered Day by Day in his Journal, which shall have a separate Column in which Entries are to be made by the Governor, stating in respect of each Direction the Fact of its having been or not having been complied with, accompanied by such Observations, if any, as the Gaoler may think fit to make, and the Date of the Entry.

Entry of
Directions by
Medical Officer.
Sch. 1, No. 42.

39. In every Prison an Infirmary or proper Place for the Reception of Sick Prisoners shall be provided.

Infirmeries.
26 & 29 Vict.
c. 125, sch. 1,
No. 43.

Employment of Prisoners.

40. Debtors may be permitted to work and follow their respective Trades and Professions, provided their Employment does not interfere with the Regulations of the Prison; and such Debtors as find their own Implements, and are not maintained at the Expense of the Prison, shall be allowed to receive the whole of their Earnings; but the Earnings of such as are furnished with Implements, or are maintained at the Expense of the Prison, shall be subject to a Deduction, to be determined by the Board, for the Use of Implements and the Cost of Maintenance.

Work and
Earnings of
Debtors.
26 & 29 Vict.
c. 125, sch. 1,
cl. 31.

41. Criminal Prisoners before Trial shall have the Option of Employment, but shall not be compelled to perform any Hard Labour.

Employment of
Criminal
Prisoners
before Trial.
Ib. cl. 33.

42. On the Acquittal of any Criminal Prisoner, or when no Bill of Indictment is found against him, such an Allowance on account of his Earnings, if any, shall be paid to such Prisoner on his Discharge as the Board may think reasonable.

Allowance out
of Earnings of
acquitted Pri-
soners.
Ib. cl. 33.

43. The Board shall not permit any Profession, Trade, Business, Calling, or Employment to be carried on by any Debtor or other Prisoner inconsistent with the due Regulation, Discipline, or Management of the Prison, or which

Work in-
consistent with
Prison Dis-
cipline not to
be permitted.
26 & 29 Vict.
c. 125, s. 35.

the Lord Lieutenant shall, on the Report of an Inspector-General, signify to the Board to be inexpedient or improper.

Hard Labour.

44. The Board shall make Provision in the Prison for carrying out all Sentences to Hard Labour passed on Prisoners in the Prison.

No Prisoner to be kept in Hard Labour unless sentenced thereto.
7 G. 4. c. 74.
s. 104.

Regulations as to Hard Labour of the First Class.
36 & 37 Vict.
c. 124, sch. 1.
cl. 24.

45. No Prisoner shall be put to Hard Labour unless sentenced thereto.

5

46. Every Male Prisoner of Sixteen Years of Age and upwards, sentenced to Hard Labour, shall, during the whole of his Sentence where it does not exceed Three Months, and during the first Three Months of his Sentence where it exceeds Three Months, be kept at Hard Labour of the First Class, 10 for such Number of Hours not more than Ten or less than Six (exclusive of Meals), as may be prescribed by the Board, and during the Remainder of his Sentence shall be kept in like Manner at Hard Labour of the First Class, except where during the Remainder of his Sentence the Board substitutes Hard Labour of the Second Class for Hard Labour of the First Class; provided, 15 that if the Medical Officer certifies any such Prisoner to be unfit to be kept at Hard Labour of the First Class during the whole or any Part of the prescribed Hours, such Prisoner shall, during such whole or Part of the prescribed Hours, be kept at Hard Labour of the Second Class, unless the Medical Officer certifies that such Prisoner is unfit to be kept at either 20 Class of Hard Labour during the whole or any Part of such Hours.

Regulations as to Hard Labour of the Second Class.
Ib. cl. 25.

47. Every Male Prisoner under the Age of Sixteen Years sentenced to Hard Labour, and every Female Prisoner sentenced to Hard Labour, shall be kept at Hard Labour of the Second Class during such Number of Hours not more than Ten or less than Six (exclusive of Meals) in each Day as may be 25 prescribed by the Board, unless the Medical Officer certifies that he or she is unfit for Hard Labour.

Days of Exemption from Hard Labour.
Ib. cl. 25.

48. No Prisoner shall be employed at Hard Labour on Sundays, Holidays, and Days appointed for Public Fasts or Thanksgivings, and such other Days as the Lord Lieutenant shall appoint.

30

Examination by Medical Officers of Prisoners at Hard Labour.

49. The Medical Officer shall from Time to Time examine the Prisoners sentenced to Hard Labour during the Time of their being so employed, and shall enter in his Journal the Name of any Prisoner whose Health he thinks to be endangered by a Continuance at Hard Labour of either Class, and thereupon such Prisoner shall not again be employed at such Class of Hard 35 Labour until the Medical Officer certifies that he is fit for such Employment.

Religious Instruction.

Chaplains to superintend Instructions.
Bill s. 40.

50. The secular and religious Instruction of the Prisoners of each Persuasion having a Chaplain shall be superintended by the Chaplains of their own Persuasion. Each Chaplain shall from Time to Time examine the Prisoners 40 of their own Persuasion as to their Progress, and shall see that the Schoolmaster and Schoolmistress are properly qualified and efficiently discharge their respective Duties, and that there is in the Prison a proper Supply of Books and other necessary Materials for Instruction.

51. Each

51. Each Chaplain (when there are Prisoners of his own Persuasion in the Prison) shall visit the Prison twice at least in each Week, exclusive of his Attendance on Sunday, and on the Occasion of each such Visit he shall go into every Room and Cell wherein any Prisoner of his Persuasion shall be confined, and shall converse with and exhort each such Prisoner; he shall continue such Offices in the Case of condemned Prisoners down to the Time of Execution.
52. Each Chaplain shall celebrate Divine Service for the Prisoners of his own Persuasion within the Prison on every Sunday.
53. In every Prison where there is no Chapel a suitable Room shall be set apart for the Purposes of the Chapel.
54. When a Prisoner or Prisoners of a Religion not having a Chaplain appointed for the Prison shall be confined in any Prison, such Prisoners may be visited by a Minister of his or their Religion at such Times and subject to such Regulations as the Board shall from Time to Time make.

Chaplain to visit the Prison.
7 G. 4. c. 74.
s. 46.

Divine Service.

Room for Use as Chapel.

Visitation of Prisoners not having a Chaplain appointed.

Secular Instruction.

55. Provision shall be made in every Prison for the Instruction of Prisoners in Reading, Writing, and Arithmetic, and in useful Trades, during such Hours, not being less than Two Hours in each Day, and to such Extent as the Board shall deem expedient; such Hours shall not be deducted from the Hours prescribed for Hard Labour.
56. All necessary Books, Materials, and other Requisites for Instruction, shall be provided by the Board at the Expense of the Prison.

Instruction of Prisoners.
BII s. 117.
25 & 26 Vict.
c. 126. sch. 1.
cl. 52.

Books and Materials to be provided.
BII s. 117.

Visits to and Communications with Prisoners.

57. Due Provision shall be made for the Admission, at proper Times, and under proper Restrictions, of Persons with whom Prisoners may desire to communicate, and such Rules and Regulations in that Behalf shall be made by the Board as shall be consistent with the Maintenance of good Order and Discipline in the Prison; but no such Persons shall be admitted to visit Prisoners on Sundays, except in special Cases, under the Order of the Local Inspector or Board.
58. The Governor may demand the Name and Address of any Visitor to a Prisoner; and when he has any Ground for Suspicion may search or cause to be searched Male Visitors, and may direct the Matron or some other Female Officer to search Female Visitors, such Search not to be in the Presence of any Prisoner or of another Visitor; and in case of any Visitor refusing to be searched, the Governor may deny him or her Admission, the Grounds of such Proceeding, with the Particulars thereof, to be entered by the Governor in his Journal.

Prisoners may be visited at proper Times.
7 G. 4. c. 74.
s. 100. cl. 18.

Power of Officer as to Visitors.
25 & 26 Vict.
c. 126. sch. 1.
cl. 55.

59. All Prisoners committed for Trial or Examination shall be permitted to see their legal Advisers at all reasonable Times, and in private, if required, unless the Board of Superintendence or the committing Justice shall have issued an Order to the contrary, or unless the Governor shall know any sufficient Cause why such legal Adviser should not be admitted, in which Case the Name of the Applicant and the Prisoner he seeks to visit shall be

Prisoners shall be permitted to see their legal Advisers.
BII, s. 41.

entered by the Governor in his Journal; convicted Prisoners shall also be allowed to see their legal Advisers on an Order from the local Inspector or Board; provided that every Person to be admitted as such legal Adviser shall be a certified Attorney or his authorized Clerk. Letters addressed to or written by Prisoners committed for Trial or Examination shall be inspected 5 by the Governor, except confidential written Communications prepared as Instructions for their legal Advisers. Such Instructions shall be delivered personally to their legal Adviser or his authorized Clerk. The Governor may stop any such Letters (save such Instructions) for sufficient Reason, and he shall record the Fact and the Reason of his stopping such Letters in his 10 Journal. Any Person claiming Admission as authorized Clerk of a certified Attorney shall, in the Absence of his Principal, produce to the Governor in each Case satisfactory Evidence of his being such authorized Clerk.

Convicted Prisoners not allowed to see Relations, &c. for Three Months.
Bill, s. 62.

60. Convicted Prisoners shall not be allowed to see their Relations and Friends until Three Months from the Date of their Sentence, and not oftener 15 than once in each Period of Three Months afterwards: Provided, that, in special Cases, convicted Prisoners, as also Prisoners committed for Nonpayment of Penalties, and for Want of Sureties, may be permitted to see their Relations and Friends, such special Circumstances to be judged by the Local Inspector or the Board. 20

Prison Offences.

Prison Offences.
28 & 29 Vict.
c. 126, sch. 1,
cl. 63.
Power of Governor to punish for Prison Offences.
7 G. 4. c. 74.
s. 109, cl. 15.
28 & 29 Vict.
c. 126, sch. 1,
cl. 64.

61. No Punishments or Privations of any Kind shall be awarded except by the Governor or by a Justice.

62. The Governor shall have Power to hear Complaints respecting any of the Offences following; that is to say, 25

1. Disobedience of the Regulations of the Prison by any Prisoner.
2. Common Assaults by One Prisoner on another.
3. Profane Cursing and Swearing by any Prisoner.
4. Indecent Behaviour.
5. Making an unreasonable Noise by whistling, talking, or in any other 30 Way, by any Prisoner.
6. Irreverent Behaviour at Chapel by any Prisoner.
7. Insulting or threatening Language by any Prisoner to any Officer or Prisoner.
8. Absence from Chapel without Leave by any convicted Criminal Prisoner.
9. Idleness or Negligence at Work by any convicted Criminal Prisoner.
10. Wilful Mismanagement of Work by any convicted Criminal Prisoner.

All the above Acts are declared to be Offences against Prison Discipline; and it shall be lawful for the Governor to examine any Person upon Oath touching such Offences, and to determine thereupon, and to punish such 40 Offences by ordering any Offender, for any Time not exceeding Three Days, to close Confinement, to be kept there upon Bread and Water. And the Governor shall enter in a separate Book, called the Punishment Book, a Statement of the Nature of any Offence that he has punished in pursuance of this Regulation, with the Addition of the Name of the Offender, the Date 45 of the Offence, and the Amount of Punishment inflicted.

63. The Governor shall keep no Prisoner under his Charge in Irons, or under mechanical Restraint, except in case of urgent and absolute Necessity ; and the Particulars of every such Case shall be entered by the Governor in his Journal and Punishment Book, and Notice thereof forthwith given to Two Members of the Board of Superintendence ; and the use of Irons shall not be continued in the Case of any Prisoner longer than Twenty-four Hours, without an Order in Writing signed by Three Members of such Board, One of whom shall be a Justice of the Peace, and therein specifying the Cause of such further Use of Irons, and the Time during which the same may continue ; and such Order shall be preserved by the Governor as his Warrant for such further Uses.

Use of Irons.
7 G. 4. c. 74.
s. 123. cl. 17.

64. If any Prisoner shall be guilty of repeatedly offending against the Rules of the Prison, or shall be guilty of any Offence greater than the Governor shall have Authority to punish, he shall forthwith report the same to any Justice of the Peace for the County to which such Prison belongs ; and any such Justice may inquire upon Oath and determine concerning any such Offence so reported to him, and may order the Offender to be punished by solitary Confinement, on Bread and Water, for any Term not exceeding One Calendar Month, and a Report of every such Offence and the Decision thereupon shall be duly reported to the Board of Superintendence at the next Meeting.

Punishment of Prisoners by Justice of the Peace.
7 G. 4. c. 74.
s. 126. cl. 14.

65. All corporal Punishments within the Prison shall be attended by the Governor and the Medical Officer. The Medical Officer shall give such Orders for preventing Injury to Health as he may deem necessary, and it shall be the Duty of the Governor to carry them into effect, and the Governor shall enter in the Punishment Book the Hour at which the Punishment is inflicted, the Number of Lashes, and any Orders which the Medical Officer may have given on the Subject.

Corporal Punishments.
26 & 27 Vict.
c. 126. sch. 1.
cl. 50.

Prisoners under Sentence of Death.

66. Every Prisoner under Warrant or Order for Execution shall, immediately on his Arrival in the Prison after Sentence, be searched by or by the Orders of the Governor, and all Articles shall be taken from him which the Governor deems dangerous or inexpedient to leave in his Possession. He shall be confined in a Cell apart from all other Prisoners, and shall be placed by Day and by Night under the constant Charge of an Officer. He shall be allowed such a Dietary and Amount of Exercise as the Governor with the Approval of the Board may direct. The Chaplain of his Persuasion shall have free Access to him. With the above Exceptions no Person, not being a Member of the Board or an Officer of the Prison, shall have Access to the Prisoner except in pursuance of an Order from a Member of the Board. During the Preparation for an Execution, and the Time of the Execution, no Person shall enter the Prison who is not legally entitled to do so, unless in pursuance of an Order in Writing from Two or more Members of the Board.

Prisoners under Sentence of Death.
26 & 27 Vict.
c. 126. sch. 1.
cl. 54.

Prison Officers.

67. All Officers of the Prison other than the Chaplains, Medical Officer, Local Inspector, and Governor shall be subordinate Officers, and shall, subject [207.] I 8

Duties of subordinate Officers.
26 & 27 Vict.
c. 126. sch. 1.
cl. 55.

to the Regulations of this Act, obey the Directions of the Governor, and perform all such Duties as may be directed by the Governor, with the Sanction of the Board. The Duties of each subordinate Officer shall be inserted in a Book to be kept by him.

Not to be absent without Leave.
Ib. cl. 94.

68. Subordinate Officers shall not be absent from the Prison without Leave 5
from the Governor, and before absenting themselves they shall leave their
Keys, Instruction Book, and Report Book in the Gaoler's Office.

Not to receive Visitors without Leave.
Ib. cl. 95.

69. Subordinate Officers shall not be permitted to receive any Visitors 5
within the Prison without Permission of the Governor.

To examine Cells, Locks, &c.
Ib. cl. 96.

70. All subordinate Officers shall frequently examine the State of the Cells, 10
Bedding, Locks, Belts, &c., and shall report forthwith any Deficiency therein
to the Governor, and shall seize all prohibited Articles, and deliver them to
the Gaoler forthwith.

Regulation as to Employment of Prisoners in Prison Officers.
28 & 29 Vict.
c. 182. sch. 1.
cl. 55.

71. No Prisoner shall be employed as Turnkey, Assistant Turnkey, Ward- 15
man, Yardsman, Overseer, Monitor, or Schoolmaster, or in the Discipline of
the Prison, or in the Service of any Officer thereof, or in the Service or
Instruction of any other Prisoner. But this Regulation shall not be taken
to prevent the Employment of any Debtor in that Part of the Prison in
which he may be lawfully confined in any Manner in which he may be
willing to be employed, and which is consistent with his safe Custody. 20

Prison Officers to be Peace Officers.
Ib. cl. 98.

72. Every Prison Officer, while acting as such, shall by virtue of his 25
Appointment, and without being sworn in before any Justice, be deemed to
be a Peace Officer, and to have all such Powers, Authorities, Protection, and
Privileges for the Purpose of the Execution of his Duty as a Prison Officer
as any Peace Officer duly appointed has by Common Law, Statute, or 30
Custom, and shall take such Oaths as are required by Law to be taken by
Constables.

Officers not to sell or let to Prisoners.
Ib. cl. 94.

73. No Officer of a Prison shall sell or let to, nor shall any Person in trust 30
for or employed by him sell or let to, or derive any Benefit from the selling
or letting of any Article to any Prisoner.

Officers not to contract with Prisoners.
Ib. cl. 95.

74. No Officer of a Prison shall, nor shall any Person in trust for or 35
employed by him, have any Interest, direct or indirect, in any Contract for
the Supply of the Prison.

Officers not to take Gratuitous.
Ib. cl. 96.

75. No Officer of a Prison shall at any Time receive Money, Fee, or 40
Gratuity of any kind for the Admission of any Visitors to the Prison or to
Prisoners, or from or on behalf of any Prisoner, on any Pretext whatever.

Local Inspector.

Duties of Local Inspector.

77. The Local Inspector shall be the principal Officer of the Prison, and 40
shall perform the Duties attached to his Office by this Act, or by any lawful
Authority. He shall make all Entries, Returns, and Reports hereby or by
such lawful Authority required of him, and shall conduct all Correspondence
between

between the Board and the Inspectors-General, the Chief and Under Secretaries.

78. He shall, under the Direction of the Board, regulate the providing of Food and other Necessaries for the Prisoners.

To regulate Supply of Food.

- 5 79. The Local Inspector shall visit every Prison under his Inspection *twice* at least in every Week; at each Visit he shall go into every Cell and Room in the Prison, and if any Complaint shall be made by any of the Prisoners therein against any of the Officers, or by any of such Officers against each other, he shall immediately inquire into the Particulars of such Complaint, and if the same shall appear to be well founded he shall report accordingly to the Board, and shall after any Meeting of the Board at which such Complaint shall be considered forthwith report to the Inspectors-General of Prisons the Decision of such Board upon such Complaint; and he shall report specially, on Oath, the State of every Prison and Bridewell under his Inspection respectively to the Judge of Assize at each Assizes.

Local Inspectors to visit Prisons.

7 G. 4. c. 74. s. 146. cl. 13. 19 & 20 Vict. c. 93. s. 36.

80. In each last-mentioned Report the Local Inspector shall state how far the several Directions contained in this Act have been observed and executed, and particularly whether the Prisoners have been supplied with the Food, Clothing, and Bedding prescribed by this Act; and he shall forthwith report to the Inspectors-General of Prisons when any Officer of any Prison or Bridewell under his Inspection has died, or has been removed or dismissed, or has resigned, and shall specify in such Reports the Name of such Person (if any) who shall have been appointed in place of such Officer, with the Date of his or her Appointment, and shall also report when any Prisoner has died together with the Cause of Death, and also the Names of all Prisoners who in such Prison or Bridewell shall have been discharged before the Expiration of their original Sentence, or removed therefrom by any competent Authority since the Date of his last Report; and such Local Inspector shall, once at least in each Quarter of a Year, or oftener if Occasion shall arise, report to the said Inspectors-General whether any epidemic Disease has appeared in any Prison or Bridewell under his Inspection, and whether any Mutiny, Riot, or Escape, or Attempt to escape, has taken place therein or therefrom, and also whether any Prisoner therein has, according to his own Desire, changed his religious Profession; and the said Local Inspector shall add to his said Report any Observations that may occur to him respecting the general Health, Discipline, or Order of the said Prison or Bridewell, the Conduct of the Officers, and the correct keeping of the several Books and Forms directed to be kept by this Act or by the Lord Lieutenant.

Reports, how to be prepared.

7 G. 4. c. 74. s. 103. cl. 24. 19 & 20 Vict. c. 93. s. 33.

81. The Local Inspector shall, in accordance with a Form to be furnished to him by the Inspectors-General of Prisons, prepare an annual Return of all the Prisoners brought to Trial within the Year preceding such Return in or for the County to which he belongs, at any Assizes, or Special or General Commission of Oyer and Terminer or General Gaol Delivery, or at Quarter Sessions, and he shall in such Return specify the particular Crime of which such Prisoner was accused, and the Sentence of the Judge (if any) at such Trial, and whether such Sentence has been executed, or whether the whole or any Part thereof has been remitted; and he shall transmit such Return to the Inspectors-General of Prisons within *Thirty Days* after the First Day of

Annual Return of Prisoners tried, &c., to be furnished by the Local Inspector.

7 G. 4. c. 74. s. 67.

January in each Year, transmitting therewith the original Returns from which such Return is made.

Clerk of the Crown and Peace to furnish Reports to Local Inspector.

82. For the Purpose of enabling the Local Inspector to make the Return required by the last Section, the Clerk of the Crown and Clerk of the Peace, as the Case may be, shall at each such Assizes, and General or Special Commission, and Quarter Sessions, furnish to such Local Inspector a complete Schedule of the Prisoners brought to Trial at the same respectively, specifying also in such Schedule the several Particulars in relation to such Prisoners required by the last Section to be specified in such Return of the Local Inspector.

Grand Jurors to present for travelling Expenses of Local Inspector.
7 G. 4. c. 74.
s. 65.

83. The Local Inspector shall reside at a reasonable Distance from the County Prison to which he belongs, and the Board shall appoint a reasonable Sum to be paid to him in addition to his regular Salary for his necessary Travelling Expenses in relation to his Duties as Local Inspector of Bridewells, which Sum shall be deemed necessary Expenses of such County Prison. The Local Inspector shall have Power, of his own Authority, to suspend the Governor of the Prison until the next Meeting of the Board. In such Case he shall forthwith cause a Meeting of the Board to be summoned, and the Deputy Governor shall perform the Duties of Governor until such Meeting.

Chaplain.

Duties of Chaplain.

84. Every Chaplain shall carry into effect the Provisions for the religious Instruction of Prisoners herein-before provided, and shall perform such Duties as are hereby or shall from Time to Time be assigned to him by lawful Authority.

Chaplain shall keep a Journal.
19 & 20 Vict.
c. 63. s. 11.
7 G. 4. c. 74.
s. 69.

85. Every Chaplain shall keep a Journal in which he shall enter a Memorandum of each Visit made by him in the Discharge of his Duty, with any Observations which may occur to him in relation thereto; and he shall cause such Journal to be laid before the Board at each Meeting thereof, and it shall be signed by the Chairman in proof of its having been so produced.

To report Abuse to Board of Superintendence.
19 & 20 Vict.
c. 63. s. 11.

86. Every Chaplain shall from Time to Time communicate to the Board any Abuse, Misconduct, Impropriety, or Irregularity which may at any Time come to his Knowledge in relation to such Prison, or any Officer or Prisoners belonging thereto.

Chaplain may visit Prison at all Times.

87. The several Chaplains shall be at liberty to visit the Prison and any of the Prisoners under their Charge respectively, at any Time or Times, in addition to the regular Visits they are respectively directed hereby to make; provided that such Visits shall not interfere with the Discipline of the Prison.

Medical Officers.

Duties of Medical Officer.
7 G. 4. c. 47.
s. 72.

88. Every Medical Officer shall discharge all the Duties attached to his Office by this Act, or by virtue of any competent Authority from Time to Time in force, and shall make all Entries, Returns, and Reports by any such competent Authority required of him. He shall at least twice in each Day inspect the Provisions supplied to the Prisoners, and report any Deficiency or Inferiority thereof which shall be observed to the Board in such Form as shall

shall be directed by the Lord Lieutenant. He shall see that no Prisoner under Punishment is subjected to such a Reduction of Diet as to tend to the Injury of Health. He may direct that Prisoners at Hard Labour be supplied with Flannel Shirts, and that Flannel and such other Articles as he may deem necessary in particular Cases be supplied to Prisoners; and he shall direct that each Prisoner take daily, in the open Air, as much Exercise as he shall deem necessary for Health. He shall give Directions in Writing for separating Prisoners having infectious Complaints, or being suspected thereof; for cleansing, disinfecting, and whitewashing any Apartments occupied by such Prisoners, and for washing, disinfecting, any infected Apparel or Bedding. He shall have Authority and he is required to have any Infant of any Prisoner duly vaccinated, whether the Parent of such Infant shall consent or not.

89. The Medical Officer shall visit the Prison at least twice in every Week, and oftener if necessary, and shall see every Prisoner in the course of the Week. He shall daily visit the Prisoners, if any, confined in Punishment Cells, and he shall visit daily, and oftener if necessary, sick Prisoners, and when necessary direct any Prisoner to be removed to the Infirmary.

90. He shall prescribe for all Prisoners who require to be prescribed for, and shall order such Treatment, Sustenance, or Medicine as may be necessary; and all Articles directed to be provided by such Prescriptions shall be provided by the Local Inspector, or in such Manner as the Board shall direct.

91. He shall examine every Prisoner who shall be brought into Prison before such Prisoners shall be passed into the proper Ward.

92. The Medical Officer shall, once at least in every Three Months, inspect every Part of the Prison, and enter in his Journal the Result of each Inspection, recording therein any Observations he may think fit to make on any Want of Cleanliness, Drainage, Warmth, or Ventilation; any Insufficiency of Clothing or Bedding; any Deficiency in the Quantity or Defect in the Quality of the Water, or any other Cause which may affect the Health of the Prisoners.

93. Whenever the Medical Officer has Reason to believe that the Mind of a Prisoner is or is likely to be injuriously affected by the Discipline or Treatment, he shall report the Case in Writing to the Governor, together with such Directions as he may think proper; and he shall call the Attention of the Chaplain to any Prisoner who appears to require his special Notice.

94. The Medical Officer may, in any Case of Danger or Difficulty which appears to him to require it, call in additional Medical Assistance; and no serious Operation shall be performed without a previous Consultation being held with another Medical Practitioner, except under Circumstances not admitting of Delay, such Circumstances to be recorded in his Journal.

95. The Medical Officer shall forthwith on the Death of any Prisoner enter in his Journal the following Particulars; viz., at what Time the Deceased was taken ill, when the Illness was first communicated to the Medical Officer, the Nature of the Disease, when the Prisoner died, and an Account of the Appearances after Death (in Cases where a post mortem Examination is made), together with any special Remarks that appear to him to be required.

Visit of
Medical Officer.
Ib.
22 & 29 Viet.
c. 122. sch. 1.
cl. 95.

Treatment of
Prisoners.
Ib.
7 G. 4. c. 74.
s. 103. cl. 26.

7 G. 4. c. 74.
s. 103. cl. 20.

Occasionally to
inspect every
Part of Prison,
&c.
22 & 29 Viet.
c. 122. sch. 1.
cl. 95.

To report
special Cases.
Ib., cl. 99.

To call in
additional
Medical Aid.
Ib., cl. 94.

To make
Entries as to
Death of
Prisoners.
22 & 29 Viet.
c. 122. sch. 1.
cl. 91.

To appoint
Substitutes
when absent
1b, cl. 99.

96. In case of Sickness, necessary Engagement, or Leave of Absence to be given by the Board, the Medical Officer shall appoint a Substitute, approved of by the Board. The Name and Residence of the Substitute shall be entered in his Journal.

Medical
Officers to keep
a Journal
7 G. 4. c. 74.
s. 72.

97. Every Medical Officer shall keep a Journal, in which he shall enter the Date of every Attendance, with any Observations he may think proper to make in the Execution of his Duty, and shall sign the same with his Name; and such Journal shall be kept in the Prison, and shall be regularly laid before the Board at their Meetings, and shall be signed by the Chairman, in proof of its having been so produced.

To make daily
Record respect-
ing sick
Prisoners.
24 & 25 Vict.
c. 136.
sch. 1. cl. 37.
Duties of
Apothecary.
7 G. 4. c. 4.
ss. 73, 74.

98. The Medical Officer shall enter, in the English Language, Day by Day, in his Journal, to be kept in the Prison, an Account of the State of every sick Prisoner, the Name of his Disease, a Description of the Medicines and Diet, and any other Treatment which he may order for such Prisoner.

99. If there shall be an Apothecary of the Prison, it shall be his Duty to execute the Orders of the Medical Officer; and such Apothecary shall, if required, provide all Medicines and other Articles necessary for the sick, and shall keep an Account, stating particularly the different Articles supplied; and it shall be lawful for the Board to appoint a reasonable Sum to be paid to such Apothecary for the Medicines so furnished, at a Price not exceeding the Rates authorized by the Governor and Directors of the Apothecaries Hall in Dublin, and they may also present a reasonable Sum to such Apothecary for his Attendance and Trouble in providing or preparing Medicines for the sick; and any such Sum so appointed by the Board for such Apothecary shall be deemed Part of the necessary Expenses of the Prison.

The Governor.

Governor,
Qualifications
of.
7 G. 4. c. 74.
s. 100. cl. 3.

100. The Governor shall be of the Age of Thirty Years at the least. Provided always that in Prisons in which Females only are confined no Governor need be appointed. In such Cases the Matron shall have the Powers and perform the Duties of Governor.

Governor to
give Security.
19 & 20 Vict.
c. 68. s. 20.

101. The Governor shall reside permanently in the Prison; he shall not be an Under Sheriff or Bailiff, nor shall he follow any Trade, Profession, or Occupation whatever other than that of Governor.

102. The Governor, if appointed after the Commencement of this Act, shall, before entering on the Duties of his Office, give good and sufficient Security for the due and faithful Discharge of all the Duties of his Office so long as he shall continue Governor, and also for the Indemnification of any Sheriff against any Loss which such Sheriff may sustain by reason of the Escape of any Prisoner in the Charge of such Governor, or by reason of any Act, Neglect, or Default on his Part.

Security to be
by Recogniz-
ance.
19 & 20 Vict.
c. 68. s. 20.

103. Such Security shall be entered into in such an Amount as the Board shall determine, and shall be by Recognizance, with such sufficient Sureties as the Board shall approve of, before any Justice of the Peace of the County to which the Prison belongs, and any such Justice is hereby empowered to take the same; and such Recognizance shall be conditioned for the Discharge of Duties, and the Indemnification in the last Claim mentioned, and shall be transmitted

transmitted by the Justice to the Clerk of the Peace of such County, and by him retained.

104. The Board may, if they think fit, accept as a Security for the Governor the Guarantee of any good and solvent Guarantee Society of the United Kingdom, in addition to or in substitution of such Security by Recognizance, partially or altogether.

105. Any Monies recovered by virtue of any of the said Securities may be paid over to such Persons as have been damnified by the Act or Default of the Governor, or Breach of the Conditions thereof, in respect of which such Monies shall have been recoverable.

106. In the event of the Death, Bankruptcy, Insolvency, or Failure of any of the Sureties in any such Recognizance, or in case any such Surety shall permanently reside out of the Jurisdiction of the Court of Chancery and the Superior Courts of Common Law in Ireland, or in case of the Failure or Dissolution of any such Guarantee Association accepted as a Security for any such Governor as aforesaid, it shall be lawful for the Board, on the Application of the Sheriff or otherwise, at their Discretion, to order that such Governor shall give such additional Security in either of the Ways before mentioned, and in lieu of the Security so failing, as to the Board shall seem fit, and thereupon such Governor shall, within One Month from the Receipt of such Order, or at such other Time as the Board shall thereby direct, perfect such new Security accordingly; and any Governor who shall fail to comply with any Order lawfully made calling upon him to give any such Security, whether original or additional, as he shall be legally liable to give under the Provisions of this Act, shall thereupon cease to hold his Office.

107. The Governor shall discharge all the Duties attached to his Office by this Act, or by any competent Authority from Time to Time in force, and shall make all Reports, Returns, Entries, and Schedules hereby or by any such competent Authority required of him; he shall exercise a vigilant Superintendence at all Times over any Prison of which he shall be Governor; he shall be furnished with a Copy of this Act, and of all Byelaws and Regulations in force in relation to such Prison, and shall always take care that all the Regulations and Discipline in force with respect to such Prison from Time to Time shall be rigidly and minutely observed; he shall exercise a due Control over all the Turnkeys and resident Officers of such Prison, restricting them entirely to the Performance of their public Duties, and not permitting any of them to be employed in any menial or private Capacity, either for himself or for any Officer of the Prison, or for any Prisoner, and in all Cases of Misconduct or Neglect of Duty on their Part shall at once communicate with the Board or the Local Inspector in relation thereto.

108. The Governor shall in case of Misconduct have Power to suspend any subordinate Officer, and shall report the Particulars without Delay to the Local Inspector and Board.

109. The Governor shall take all Precautions at all Times for the safe keeping of all the Prisoners in his Charge, and for a sufficient Patrol or Watch throughout the Prison during the Night.

Board of Superintendence may accept Security of Guarantee Society.

Application of Monies recovered, Amount of Securities, how to be disposed. 18 & 20 Vict. c. 63. s. 21.

May be required to give additional Security. 18 & 20 Vict. c. 63. s. 22.

18 & 20 Vict. c. 63. s. 20.

General Duties of Governor. 7 G. 4. c. 74. s. 109. cl. 1, 2a.

May suspend subordinate Officers. 38 & 39 Vict. c. 126. sch. 1. cl. 70.

He shall not be absent at Night without Permission.

110. The Governor shall not be absent from the Prison for a Night, without Permission in Writing, signed by the Local Inspector, or in case of the Illness or Absence of the Local Inspector, by Two Members of the Board; and a Note of such Permission, and the Names of the Members of the Board, if any, granting such Permission, shall be entered in his Journal; and if in any Case he shall be absent for a Night without such Permission, and from unavoidable Necessity, he shall enter the Fact and the Cause thereof in his Journal.

To visit each Cell each Day.
7 G. 4. c. 74.

111. The Governor shall, as far as may be practicable, visit every Prisoner and inspect every Cell once at least in every Twenty-four Hours, and he shall enter in his Journal the Hour of such Visit; and whenever he shall visit any Female Prisoner he shall be accompanied by the Matron, or in case of her unavoidable Absence, by some Female Officer of the Prison. The Governor shall be present at lock-up, and as far as may be practicable witness the locking in of each individual Prisoner in his Cell or Apartment, or his Deputy shall do so; and he shall further go his Rounds before the final locking-up of the Prison, and see that every Prisoner is in his Cell, and shall ascertain that the Locks, Bolts, and Bars on each Cell are properly fastened and secured.

Nightly Visits.
20 & 29 Viet.
c. 126. sch. 1.
cl. 71.

112. The Governor shall, at least once during each Week, go through the Prison at an uncertain Hour of the Night, which Visit, with the Hour and State of the Prison at the Time, he shall record in his Journal. The Governor shall inspect the Tell-tale Clocks, and shall report any Irregularity he may observe in the marking thereof to the Board. He shall direct that each Officer in charge of a Department or Ward of the Prison shall daily report to him in Writing the Condition of his Department or Ward. In all Cases of Emergency the Officer shall report verbally without Delay, subsequently making an Entry thereof in his Report Book. The Governor shall take every Precaution necessary for preventing Escape, and give Orders for the daily Examination of the Cells, Bars, Bolts, Locks, &c. He shall also adopt proper Precautions against Fire. He shall direct that the Prison shall be locked the Night and the Keys of the outer Gate delivered to him at Ten o'Clock each Night, and he shall keep the Keys until the Hour of unlocking in the Morning.

To post up in Cells Abstract of certain Regulations.
28 & 29 Viet.
c. 126. sch. 1.
cl. 72.

113. The Governor shall cause an Abstract, to be approved by the Lord Lieutenant, of the Regulations relating to the Treatment and Conduct of Prisoners, with a Copy of the Prison Dietaries (printed in legible Characters), to be posted in each Cell, and shall read or cause the same to be read to every Prisoner who cannot read within Twenty-four Hours after his Admission.

To report to Medical Officer Prisoners disordered in Mind.
Ib., cl. 73.

114. The Governor shall, without Delay, call the Attention of the Medical Officer to any Prisoner whose State of Mind or Body appears to require Attention, and shall carry into effect the Directions of the Medical Officer respecting Alterations of the Discipline or Treatment of any such Prisoner.

To notify to Chaplain and Medical Officer Prisoners requiring their Attention.
Ib., cl. 74.

115. The Governor shall notify to the Medical Officer, without Delay, the Illness of any Prisoner, and shall deliver to him daily a List of such Prisoners as complain of Illness, or are removed to the Infirmary, or confined to their Cells by Illness, and he shall daily deliver to the Chaplain and Medical Officer Lists of such Prisoners as are confined in Punishment Cells.

116. Upon

116. Upon the Death of a Prisoner the Governor shall give immediate Notice thereof to the Coroner of the District to which the Prison belongs, and to the Local Inspector, as well as to the nearest Relative of the Deceased, where practicable.

To give Notice of Death of Prisoners.
Ib. c. 72.

117. The Governor shall without Delay report to the Board of Superintendence any Case of Insanity or apparent Insanity occurring among the Prisoners.

To report to the Board of Superintendence.
Ib. c. 76.

118. The Governor shall be responsible for the Execution of every Sentence of Hard Labour within the Prison, and shall, previously to every Assizes and Commission, make out a true Return in Writing, and signed by him, in the Form No. 18. in the Second Schedule to this Act annexed, or in such other Form as may be approved by the Lord Lieutenant, of all Persons in his Custody who have been sentenced to any Description of Hard Labour, specifying the Manner in which such Sentences have been carried out, the particular Species of Labour in which such Prisoners have been employed, and the average Number of Hours in the Day for which Prisoners have been kept to work; and such Return shall be also signed by the Local Inspector, or by One Member at least of the Board, who shall add thereto such Observations as the Case and Circumstances may appear to him to require; and such Return shall be delivered to the Judge of Assize, and shall be kept and filed by the proper Officer amongst the Records of the Court.

To have Sentences of Hard Labour carried out, and report at Assizes.
7 G. 4. c. 74. s. 103.

119. The Governor shall carry out the Provision for the Employment of Prisoners herein-before contained; and shall keep every convicted Prisoner under his Charge to work, of such Kind as the Board of Superintendence, subject to the Provisions in that Behalf herein-before contained, shall appoint, by an Order to be made; and an Account shall be kept by him of all Work performed by Prisoners, and of any Profit arising from the same.

To keep Prisoners at work.
7 G. 4. c. 74. s. 104.

120. The Governor shall not let for Hire or Emolument to any Person any Room or Portion of any Prison, whether the Portion allotted to him for his own Residence or otherwise; he shall, as far as possible, take care that no Officer of the Prison shall receive any Money, Fee, or Gratitude for the Admission of any Visitors to the Prison or to the Prisoners; nor shall he have directly or indirectly any Interest in any Contract or Agreement for the Supply of the Prison or the Management or repairing of the same; nor shall he allow any Officer of the Prison to have any private Benefit or Advantage from the Sale or Letting of any Article.

Governor not to let for Hire any Room, &c. of Prison.

121. The Governor shall allow Prisoners committed for Examination or Trial to send and receive Letters, unless the Local Inspector, Board of Superintendence, or committing Magistrate shall have issued an Order to the contrary, or unless he shall know a sufficient Cause why any such Letter should not be sent or received, in which latter Case he shall record the Fact in his Journal. He shall, under the same Restrictions, allow convicted Prisoners to send and receive One Letter in the course of each Quarter of a Year. He shall inspect every Letter to and from a Criminal Prisoner, except such Communications with the legal Adviser of such Prisoner as are mentioned in the Sixtieth Clause of this Schedule, and except Letters addressed to the Local Inspector or other proper Authority; and in every Case in

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which

which he shall deem it necessary to withhold a Letter either to or from a Prisoner, he shall record the Fact in his Journal, and shall without Delay lay such Letter before the Local Inspector for his Decision. He may also inspect any Letter to or from a Debtor when he has Reason to suspect that it refers to any Escape or Infringement of Discipline, and he shall make an Entry of each Instance of his so inspecting a Letter to a Debtor in his Journal, and he shall mark such Letter with his Initials.

To keep examined Books and Accounts.
B.I., 195.
38 & 39 Vict.
c. 126. sch. 1.
cl. 77.

122. The Governor shall keep the following Records and Accounts :

- (1.) A Journal in which he shall record all such Matters as he is directed to record therein by this Act, and all other Matters deserving of Observation, particularly such as relate to the healthy Discipline or Employment of the Prisoners, or to the Infringement of the Prison Rules. This Journal shall be laid before the Board, and signed by the Chairman at each Meeting.
- (2.) A Punishment Book, in such Form as the Inspectors General shall direct, for the Entry of the Punishments inflicted for Prison Offences.
- (3.) A nominal Record of all Prisoners committed to his Charge, in such Form as may be directed by the Board.
- (4.) A Visitors Book for the Entry of any Observations made by Visitors to the Prison.
- (5.) A Record of Articles taken from Prisoners.
- (6.) A Record of the Employment of Prisoners sentenced to Hard Labour, and the Manner in which they have been so employed.
- (7.) A List of Books and Documents committed to his Care.
- (8.) An Inventory of all the Furniture and moveable Property belonging to the Prison.
- (9.) An Account of all Prison Receipts and Disbursements.

To be responsible for safe Custody of Documents.
38 & 39 Vict.
c. 126. sch. 1.
cl. 78.

123. The Governor shall take charge of and be responsible for the safe Custody of the Journals, Registers, Books, Commitments, and all other Documents containing the Proceedings of the Board, and relating to the Administration of the Prison.

Deputy Governor.

In the Absence of Governor, or by Order of Board, to have Powers of Governor.

124. The Deputy Governor, in the Absence of the Governor, or whenever called upon to act by the Board, shall have the Powers and perform the Duties of Governor. The Deputy Governor may also hold any other subordinate Office in the Prison.

The Matron.

The Matron to reside in the Prison.

125. The Matron shall reside in the Prison, and in Prisons having a Male Governor she shall be deemed to be a subordinate Officer. In Prisons for Females only having no Male Governor the Matron shall possess the Powers and perform the Duties assigned to the Governor by this Act.

Duties of Matron.

126. She shall have the Care and Superintendence of the whole Female Department. The Wards, Cells, and Yards where Females are confined shall be

be secured by Locks different from those securing the Wards, Cells, and Yards allotted to Male Prisoners, and the Keys of these Locks shall be kept in the Custody of the Matron.

127. The Matron shall so far as practicable visit and inspect every Part of the Prison occupied by Females, and see every Female Prisoner, once at least in every Twenty-four Hours, and in default of such daily Visits and Inspections she shall state in her Journal how far she has omitted them, and the Cause thereof. She shall, at least once during the Week, go through such Part of the Prison at an uncertain Hour of the Night, which Visit, with the Hour and State of such Part of the Prison at the Time, shall be recorded in her Journal, and she shall see that each Female Prisoner is properly locked up in her Cell each Night.
128. The Matron shall not be absent from the Prison for a Night without Permission in Writing from the Local Inspector, on the Recommendation of the Governor; and her Leave of Absence shall be entered in her Journal.
129. No Male Officer (including the Governor) and no Visitor shall enter the Female Department unattended by the Matron or a Female Officer. The Matron shall be responsible for the Enforcement of this Clause.

To inspect daily Female Prisoners.

25 & 26 Vict. c. 124. sch. 1. at 82

Not to be absent without Leave.
Ib., cl. 82.

Admission to Female Department, Regulations.

130. The Matron shall keep a Journal, in which she shall enter all such Matters in the course of her Duty as shall appear to her deserving of Observation, and she shall sign the same with her Name, and such Journal shall be kept in the Prison, and laid before the Board.

Matron to keep a Journal.

131. The Matron shall, with the Consent of the Governor, and with the Approval of the Board, appoint a Female Officer of the Prison to act as Deputy Matron whenever she is absent on Leave from the Prison, and during such Absence the Deputy Matron shall have all the Powers and Duties of the Matron. Before leaving the Prison the Matron shall personally give over the Charge of the Part of the Prison occupied by Females to the Deputy Matron.

To appoint Deputy when absent.

25 & 26 Vict. c. 124. sch. 1. cl. 84.

- 30 *Schoolmasters, Schoolmistresses, and Trades Instructors.*

132. Schoolmasters, Schoolmistresses, and Trades Instructors shall give Instruction to the Prisoners in pursuance of the Provisions of this Act concerning the Instruction of Prisoners.

Gate Porter.

133. The Officer acting as Gate Porter may examine all Articles carried in or out of the Prison, and may stop any Person suspected of bringing in Spirits or other prohibited Articles into the Prison, or of carrying out any Property belonging to the Prison, giving immediate Notice thereof to the Governor.
134. The Officer acting as Gate Porter shall keep a Record of all Prisoners committed to and discharged from the Prison during the Time such Officer shall have been so acting. Such Record shall be in the Form No. 4 in the Second Schedule of this Act; and such Officer shall also keep the Gate Books and the Record of Visitors admitted to Prisoners in Forms Nos. 12, 13, and 14 in the Second Schedule to this Act.

Duties of Gate Porter.
25 & 26 Vict. c. 124. sch. 1. cl. 87.

SCHEDULE II.

FOUNTAIN TO BE USED IN PRISON.

No. 1. - Description of Fount.

Date of Construction.	Place Delivered.	Number.	Source.	Height.	Depth.

Prisoners (Prisoners).

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No. 2.—*State of the Prison at Locking on the*

at

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Description or Number of each class.	Number of Cells.	Prisoners Employed.	Prisoners unemployed.	Prisoners detained.		Convicted Prisoners.										Deaths.			Grand Total.	In Jail.	Signature of Officer in charge of each class.
				For Trial.	For Trial Prisoners.	Total.	For Trial.	For Trial Prisoners.	For Trial Prisoners.	For Trial Prisoners.	For Trial Prisoners.	For Trial Prisoners.	For Trial Prisoners.	For Trial Prisoners.	Total.	For Trial.	For Trial Prisoners.	Total.			
No. 1. "																					
2. "																					
3. "																					
4. "																					
5. "																					
Detainees "																					
Unemployed "																					
Hospital "																					
Totals																					
Female Prison "																					
Hospital "																					
Grand Total																					

Return.

On Working Duty.

On Night Duty.

Discharged after Locking

Discharged

No.

N.

Prisoners (Prisoners).

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STATE OF THE PRISON.																			
Classification.	Corrected in the Morning.		Dis-charged.	Canteen sublet.		Total, corrected at Night.	DIETARY.	Male Prisoners.	Female Prisoners.	Outward.	Indian Meal.								
	Males.	Females.		Males.	Females.														
No. 1.	-	-	-	-	-	-	Breakfast. On full Allowance - On Third-class Allowance - On Bread and Water - On Diet ordered by Medical Officer out of Hospital - In Hospital, as per Docket - Not on Prison Diet - Total - -	-	-	-	-								
2.	-	-	-	-	-	-		-	-	-	-								
3.	-	-	-	-	-	-		-	-	-	-								
4.	-	-	-	-	-	-		-	-	-	-								
5.	-	-	-	-	-	-		-	-	-	-								
6.	-	-	-	-	-	-		-	-	-	-								
7.	-	-	-	-	-	-		-	-	-	-								
8.	-	-	-	-	-	-		-	-	-	-								
9.	-	-	-	-	-	-		-	-	-	-								
10.	-	-	-	-	-	-		-	-	-	-								
Kitchen, 11.	-	-	-	-	-	-	Total - -	-	-	-	-								
Laudry, 12.	-	-	-	-	-	-	Dinner. On full Allowance, with Milk - On full Allowance, with Gravel - On Third-class Allowance - On Bread and Water - On Diet ordered by Medical Officer out of Hospital - In Hospital, as per Docket - Not on Prison Diet - Total - -	-	-	-	-								
Hospital, 13.	-	-	-	-	-	-		-	-	-	-								
Laudry, 14.	-	-	-	-	-	-		-	-	-	-								
Deacons, 15.	-	-	-	-	-	-		-	-	-	-								
Totals - -	-	-	-	-	-	-		-	-	-	-								
Discharged before Breakfast - -	-	-	-	-	-	-		-	-	-	-								
Committed before Breakfast - -	-	-	-	-	-	-		-	-	-	-								
For Breakfast - -	-	-	-	-	-	-		-	-	-	-								
Discharged before Dinner - -	-	-	-	-	-	-		-	-	-	-								
Committed before Dinner - -	-	-	-	-	-	-		-	-	-	-								
For Dinner - -	-	-	-	-	-	-	-	-	-	-									
Discharged before Dinner - -	-	-	-	-	-	-	Extras. Laudry - - - Third-class Prisoners - On Diet ordered by Medical Officer out of Hospital - Committed and fed after Dinner - - Children not Prisoners - Prisoners employed at exhausting labor, by order of Medical Officer - Officers - - -	-	-	-	-								
Committed before Dinner - -	-	-	-	-	-	-		-	-	-	-								
For Dinner - -	-	-	-	-	-	-		-	-	-	-								
Discharged before Dinner - -	-	-	-	-	-	-		-	-	-	-								
Committed before Dinner - -	-	-	-	-	-	-		-	-	-	-								
For Dinner - -	-	-	-	-	-	-		-	-	-	-								
Discharged before Dinner - -	-	-	-	-	-	-		-	-	-	-								
Committed before Dinner - -	-	-	-	-	-	-		-	-	-	-								
For Dinner - -	-	-	-	-	-	-		-	-	-	-								
Discharged before Dinner - -	-	-	-	-	-	-		-	-	-	-								

ABSTRACT.	Outward.				Indian Meal.				Rice.				Brown Meal.		White Bread.		Rye or Oatmeal.	
	cris.	qrs.	Rs.	cs.	cris.	qrs.	Rs.	cs.	cris.	qrs.	Rs.	cs.	Rs.	cs.	Rs.	cs.	Rs.	cs.
Issue - - -																		
Brought forward - - -																		
Total - - -																		

STYPLINE ISSUED ON the

Day of

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[illegible]

Potatoes.			New Milk.			Buttermilk.			Buck.	Mutton.	Pork.	Sea Coal.			Stone Coal.			Soap.	Candles.	Stear.
cwt.	qr.	lb.	gals.	qtts.	pis.	gals.	qtts.	pis.	stns.	lbs.	stns.	tuns.	cwts.	sins.	tuns.	cwts.	sins.	Ers.	No.	cwts.

No. 4. *Genl Knox's Record of Prisoners Discharged.*

Date. 180 -	Prison Discharges.				Prison Fee.			Comments.
	Year.	Male.	Female.	Total.	d.	s.	d.	

Genl Knox's Record of Prisoners Convicted.

Date. 180 -	Prison Convictions.				Comments.
	Year.	Male.	Female.	Total.	

No. 5.—DIETARY CHECK TICKET BOOK.

186 .			186 .		
For Breakfast.	Males.	Females.	Prisoners for Breakfast.	Males.	Females.
On full Allowance - -			On full Allowance - -		
" 3d Class ditto - -			" 3d Class ditto - -		
" Bread and Water - -			" Bread and Water - -		
" Medical Diet - -			" Medical Diet - -		
In Hospital - - -			In Hospital - - -		

186 .			186 .		
For Dinner.	Males.	Females.	Prisoners for Dinner.	Males.	Females.
On full Allowance with Milk			On full Allowance with Milk		
" Ditto with Gravel			" Ditto with Gravel		
" 3d Class Allowance - -			" 3d Class Allowance - -		
" Bread and Water - -			" Bread and Water - -		
" Medical Diet - -			" Medical Diet - -		
In Hospital - - -			In Hospital - - -		
Locusts - - -			Locusts - - -		

	NAME.
	Age.
	Offence.
	Sentence.
	Date of Sentence.
	Re-committed in current Year.
	Total Commissions since first known.
	Religion.
	Alphabet.
	Spelling.
	Reading.
	Writing.
	Arithmetic.
	If he has been in Workhouse.
	If Parents, or either of them, are in Workhouse.
	If Parents, or either of them, are or have been in Goal.
	With both Parents.
	Without Parents.
	Abandoned by Parents.
	Abandoned from Parents.
	Without Father.
	Without Mother.
	Step-Child.
	Illegitimate.
	If usually resident within the County.

No. 2.—Wages Earned, _____ Class. Week commencing _____ Day of _____, ending _____ Day of _____ 190 .

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Person's Name	Description of Earnings						Weekly Amount of Work done	Value of Weekly Earnings		
	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday		d	c	d

Persons (Inhabitants)

No. Minister's Name Date on the Day of 186

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Class		Males							Females						
		In Class	Age		Religion			Married	Single	In Church	Age		Religion		
			Under 10	10 to 18	Protestant	Catholic	Other				Under 10	10 to 18	Protestant	Catholic	Other
Children	Male and Female														
	Protestant														
	Catholic														
	Other														
	Total														
Youth	Male and Female														
	Protestant														
	Catholic														
	Other														
	Total														
Adult	Male and Female														
	Protestant														
	Catholic														
	Other														
	Total														
Total	Male and Female														
	Protestant														
	Catholic														
	Other														
	Total														

Males and Females in Class

Males and Females of each Religion

Total for Day - { Males, Females, }
 Error Class for Day - { Males, Females, }

Grand Total

Proctor (Proctor)

No. 10.—DAILY REPORT of Prisoners sick in Hospital.

Intern Patients.

Date.	Names of Patients.	Disease.	Date of Admission.	Date of Discharge.	Diet and any other Medical Orders.

No. 11.—DAILY REPORT of Prisoners on Extra and Change of Diet,
as prescribed by the Doctor.

Extern Patients, or Prisoners employed at exhausting Labour.

Date.	Name.	Class.	Diet.	Date of Order, and how long to continue.*

* All such Orders to require Removal at the Expiration of Seven Days.

No. 12.—INTERIOR OFFICERS GATE BOOK.

Date.	Name of Officer.	Went out.		Returned.		Remarks.
		H.	M.	H.	M.	

No. 13.—EXTERNAL OFFICERS GATE BOOK.

Date.	Name.	Came in.		Went out.		Signature.
		H.	M.	H.	M.	
		10	40	12	15	

No. 14.—RECORD OF VISITORS ADMITTED TO PRISONERS.

Date.	Prisoner's Name.	Visitor's Name.	By whose Authority.

No. 15.—INSPECTION OF PROVISIONS BOOK.*

Date.	Chaplain's Signature.	Bread.	Milk.	Stimulant.	Grain.	Potatoes.	Soap.

* The Chaplain is requested to state his Opinion of the Quality of each Item of Diet.

No. 16.—QUARTERLY RETURN FROM BRIDEWELLS FOR INSPECTORS-GENERAL.

_____ COUNTY.
 _____ BRIDEWELLS.

Return for Quarter ending _____ 186__.

	Males.	Females.	Males and Females.
Number of Prisoners confined	-	-	-
Of whom were Debtors	-	-	-
Number supported at public Expense	-	-	-
Number of Males actually hired	-	-	-
Cost of such Males	-	-	-
Cost of Straw, Candles, Fuel, &c.	-	-	-
Cost of incidental Expenses	-	-	-
Total	-	-	-
Cost of Dietary per Head per Day	-	-	-
Keeper's Salary per Annum	-	-	-

Dated this _____ Day of _____ 186__.

Signature of Keeper _____

To the Inspectors-General of Prisons, Dublin Castle.

No 17.—BANKRUPT RECEIPTS.

No.	Debitors Name.	Creditor.	By what subject is Bankruptcy made?	At what Date and Hour?	By what Authority and of what Court?	Whether commenced in Bankruptcy.	Whether removed from Bankruptcy, and by whom.	At what Date and Hour?	By what Authority and of what Court?	How disposed of.	No. of Copies certified.	How many copies signed by Public Officer.	Amount paid for Satisfaction of the Debt of the Debtor.			Observations.
													a	b	c	

RECORDS OF PERSONNEL EMPLOYED AT BLAIR LABORATORY.

No.	Name of Person	Factor of Success	Factor in which mentioned	Name of Agent	Total Weight	Average Number of Visits per Day	Average Number of Tests per Day	Other Species of Labor	Average Number of Hours per Day	Comments
										Member of Board of Supervisors Local Inspector Director of the Dept.

No. 19.—ANNUAL INSPECTION REPORT OF BEDDING, &c.

Prison

Male

Summary

Return of
Articles
required by
Inspector-
General.

Average Number of Erythrocytes

Highest Number of Prisoners at any One Time during the past Year

REDDING

						In Use and Store.	Defunct.
Blankets, Fairs	-	-	-	-	-		
Shirts do.	-	-	-	-	-		
Hugs	-	-	-	-	-		
Hammocks	-	-	-	-	-		
Cots	-	-	-	-	-		
Bed-ticks	-	-	-	-	-		
Iron and Wooden Bedsteads	-	-	-	-	-		

CLOTHING

For Males.	In Use and Store	Deficient.	For Females.	In Use and Store	Deficient.
Shirts	-	-	Shirts	-	-
Jackets	-	-	Jackets	-	-
Vests	-	-	Petticoats	-	-
Trowsers	-	-	Aprons	-	-
Caps	-	-	Neckkerchiefs	-	-
Stockings	-	-	Caps	-	-
Shoes	-	-	Stockings	-	-
			Shoes	-	-

I, Inspector-General of Prisons, do certify, That I have inspected the Bedding, Clothing, and Furnishings in the Prison of _____, and that the following Articles appear to be deficient, viz.,

Hemstitches,	Cuts,	Red-ticks,	Shirts,	Rugs,
Mats,	Shirts,	Jackets,	Vests,	Trousers,
Stockings,	Shoes ; and for Females,	Shifts,	Jackets,	Cape,
Furniture,	Aprons,	Kneecloths,	Cape,	Blankets,

Shoes ; I do therefore direct the Local Inspector of the said Prison to provide such deficient Articles at returnable Price, and to furnish an Account of the Expenses to the Collector of Inland Revenue at _____ pursuant to the Provisions of "The Prisons Act (Ireland) 1865."

(Slowed)

Inspector-General of Prisons.

Return of
Articles
supplied by
Local In-
spector.

No. 20.—ANNUAL RETURN OF ARTICLES SUPPLIED FOR PRISONS, AS ORDERED BY
THE INSPECTOR-GENERAL OF PRISONS.

BEDDING.

	In Use and Store.	Deficient.
Blankets, Fairs		
Sheets do.		
Rugs		
Hammocks		
Cots		
Bed-ticks		
Iron and Wooden Bedsteads		

CLOTHING.

For Males.	In Use and Store.	Deficient.	For Females.	In Use and Store.	Deficient.
Shirts			Shifts		
Jackets			Jackets		
Vests			Perforators		
Trowsers			Aprons		
Caps			Neckcloths		
Stockings			Caps		
Shoes			Stockings		
			Shoes		

A B, Local Inspector of the Prison at _____, came before me this Day, and made Oath, That the Articles above stated are a true Account of Articles ordered by the Inspector-General of Prisons for the Use of the said Prison, pursuant to the Provisions of "The Prisons Act (Ireland) 1862," and that the same were furnished on the best practicable Terms, and are charged at Cost Price; and that no Profit is made on the Purchase thereof by him or by any other Person for his Use.

Given before me, this

Day of

Collector of Inland Revenue.

SCHEDULE III.

Of Acts and Part of Acts to be repealed.

Date of Act.	Title.	Extent of Repeal.
56 G. 3. c. 129. -	An Act to procure annual Returns of Persons committed, tried, and convicted for Criminal Offences and Misdemeanors in Ireland.	The whole Act.
1 & 2 G. 4. c. 77. -	An Act to abolish the Payment by Prisoners in Ireland of Gaol Fees and all other Fees relating to the Commitment, Continuance, Trial, or Discharge of such Prisoners, and to prevent Abuses by Gaolers, Bailiffs, and other Officers.	The whole Act.
7 G. 4. c. 74. -	An Act for consolidating and amending the Laws relating to Prisons in Ireland.	The whole Act.
3 & 4 W. 4. c. 32.	An Act to explain and amend the Provisions of certain Acts for the erecting and establishing public Infirmarys, Hospitals, and Dispensaries in Ireland.	So much of Sect. 6. as provides for Grand Juries appointing Medical Officers of Gaols not being within Five Miles of the County Infirmary.
6 & 7 W. 4. c. 51.	An Act for converting the Richmond General Penitentiary into One of the Prisons for the County of the City of Dublin, and to amend the Laws relating to Prisons in Ireland.	The whole Act.
6 & 7 W. 4. c. 116.	An Act to consolidate and amend the Laws relating to the Presentation of Public Money by Grand Juries in Ireland.	Sections 124 & 125.
1 Vict. c. 6. -	An Act to regulate the Expenses of conveying Prisoners in Ireland.	The whole Act.
1 & 2 Vict. c. 51. -	An Act to amend the Laws relating to the levying of the Grand Jury Cess in Ireland.	Section 9.
1 & 2 Vict. c. 116.	An Act to facilitate Advances out of County Monies for the Support of County Gaols and Institutions in Ireland.	So far as it relates to County Prisons and Bridewells.
3 & 4 Vict. c. 44. -	An Act to amend an Act of the Seventh Year of King George the Fourth, for consolidating and amending the Laws relating to Prisons in Ireland.	The whole Act.
3 & 4 Vict. c. 109.	An Act to annex certain Parts of certain Counties of Cities to adjoining Counties; to make further Provision for Compensation of Officers in Boroughs; to limit the Borough Rate; and to continue for a limited Time an Act to restrain the Alienation of Corporate Property in Ireland.	Sections 8 and 9.

Date of Act.	Title.	Extent of Repeal.
3 & 4 Vict. c. 53.	An Act for vacating any Presentment for rebuilding the Gaol of Newgate in Dublin, and vacating any Contract between the Commissioners for rebuilding the said Gaol and Contractor.	The whole Act.
5 Vict. c. 6.	An Act for amending an Act of Her present Majesty, for vacating any Presentment for rebuilding the Gaol of Newgate in Dublin, and vacating any Contract between the Commissioners for rebuilding the said Gaol and Contractor.	The whole Act.
5 & 6 Vict. c. 95.	An Act for consolidating the Four Courts Marshalsea, Dublin, Sheriff's Prison, Dublin, and City Marshalsea, Dublin, and for regulating the Four Courts Marshalsea in Ireland.	The whole Act.
7 & 8 Vict. c. 106.	An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of the City of Dublin.	Section 3.
9 & 10 Vict. c. 61.	An Act to amend an Act of the Seventh Year of King George the Fourth, for consolidating and amending the Laws relating to Prisons in Ireland.	The whole Act.
10 & 11 Vict. c. 45.	An Act to authorize for One Year, and to the End of the then next Session of Parliament, the Removal of Prisoners from the County Gaols in Ireland in case of epidemic Diseases.	The whole Act.
12 Vict. c. 19.	An Act to make perpetual an Act of the Tenth and Eleventh Years of Her present Majesty, for authorizing the Removal of Prisoners from the County Gaols in Ireland in case of epidemic Diseases.	The whole Act.
12 & 13 Vict. c. 55.	An Act to abolish the Gaol of Newgate in the County of the City of Dublin, and provide Compensation for the Officers thereof, and to enable the Grand Jury of the County of the City to increase the Salaries of the Chaplains of certain other Gaols thereof, and to re-assess on the County of the said City certain Arrears of Grand Jury Fees.	The whole Act.
12 & 13 Vict. c. 97.	The Dublin Improvement Act, 1849	Section 51.
17 & 18 Vict. c. 115.	An Act to amend the Law relative to the Removal of Prisoners in Custody.	So far as relates to Ireland.
19 & 20 Vict. c. 68.	An Act to further amend the Laws relating to Prisons in Ireland.	The whole Act.
24 & 25 Vict. c. 49.	Petty Sessions, Ireland, Amendment Act, 1861.	The whole Act.
26 & 27 Vict. c. 66.	An Act to amend the Law relating to Prisons in Ireland.	The whole Act.